

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

----- X  
NICE SYSTEMS, INC., a Delaware Corporation, and :  
NICE SYSTEMS LTD., an Israeli Corporation :  
 : C. A. No. 06-311-JJF  
 :  
Plaintiffs, :  
 :  
v. :  
 : CONFIDENTIAL  
 : FILED UNDER SEAL  
 :  
WITNESS SYSTEMS, INC., a Delaware :  
Corporation, :  
 :  
 :  
Defendant. :

**REDACTED**  
**VERSION**

**DECLARATION OF JOSEPH M. DRAYTON  
IN SUPPORT OF PLAINTIFFS' COUNTER-STATEMENT OF GENUINE ISSUES OF  
MATERIAL FACT IN DISPUTE IN OPPOSITION TO DEFENDANT'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT ON WILLFUL INFRINGEMENT**

**JOSEPH DRAYTON** declares:

1. I am counsel at the law firm Kaye Scholer LLP, counsel for Plaintiffs NICE Systems, Inc. and NICE Systems, Ltd. (“NICE”) in this action. I am a member in good standing of the bars of the States of New York and Maryland and am admitted *pro hac vice* in this case.

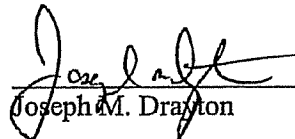
2. Attached hereto as Exhibits A through M are true and correct copies of the following:

- Exhibit A: NICE's Infringement Contentions, which were served to Witness Systems, Inc. on December 27, 2006 as Exhibit A to Plaintiff's Objections and Answers to Defendant Witness Systems, Inc.'s Second Set of Interrogatories.
- Exhibit B: Letter from Daniel A. Kent to Joseph M. Drayton, dated May 4, 2007 regarding *NICE Systems Ltd. & NICE Systems, Inc. v. Witness Systems, Inc.* U.S.D.C. (D. Del.) - Civil Action No. 1:06-CV-00311-JJF (without attachments).

- Exhibit C: Letter from Daniel A. Kent to Joseph M. Drayton, dated August 8, 2007 regarding *NICE Systems Ltd. & NICE Systems, Inc. v. Witness Systems, Inc.* U.S.D.C. (D. Del.) - Civil Action No. 1:06-CV-00311-JJF.
- Exhibit D: Excerpts from the deposition of Joseph Alva Watson dated September 6, 2007 in *NICE Systems Ltd. & NICE Systems, Inc. v. Witness Systems, Inc.* Civ. No. 06-311 (D. Del.) (JJF).
- Exhibit E: Excerpts from the deposition of Kevin Glenn Hegebarth dated August 9, 2007 in *NICE Systems Ltd. & NICE Systems, Inc. v. Witness Systems, Inc.* Civ. No. 06-311 (D. Del.) (JJF).
- Exhibit F: Excerpts from the deposition of Nancy Young Treaster as 30(b)(6) designee of Verint America Inc., the successor in interest to Witness Systems, Inc., dated June 29, 2007 in *NICE Systems Ltd. & NICE Systems, Inc. v. Witness Systems, Inc.* Civ. No. 06-311 (D. Del.) (JJF).
- Exhibit G: Technical Advisory Council Meeting Minutes, dated July 21, 2005, bearing production numbers WSDEPROD2458301-2458304.
- Exhibit H: Technology Advisory Council Charter, Effective May 2005, bearing production numbers WSDEPROD2458323-2458325.
- Exhibit I: Technical Advisory Council Minutes, dated June 6, 2005, bearing production numbers WSNSDE061093-061101.
- Exhibit J: Excerpts from the deposition of Daniel Spohrer dated August 3, 2007 in *NICE Systems Ltd. & NICE Systems, Inc. v. Witness Systems, Inc.* Civ. No. 06-311 (D. Del.) (JJF).
- Exhibit K: NICE Press Release, dated June 1, 2005, entitled "NICE Completes Acquisition of Dictaphone's Communications Recording Systems Business."
- Exhibit L: Speech Technology Press Release, dated June 1, 2005, entitled "NICE Completes Acquisition of Dictaphone's Communications Recording Systems Business."
- Exhibit M: CRM Press Release, dated June 1, 2005, entitled "NICE Completes Acquisition of Dictaphone's Communications Recording Systems Business."

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.

Executed on November 21, 2007

  
Joseph M. Drayton

**CERTIFICATE OF SERVICE**

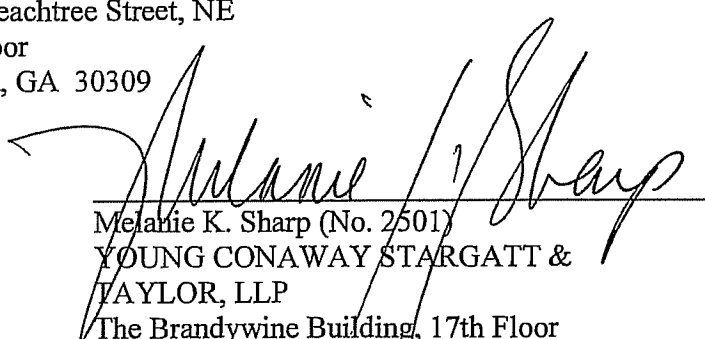
I, Melanie K. Sharp, Esquire, hereby certify that on November 21, 2007, I caused to be electronically filed a true and correct copy of the foregoing document, Declaration of Joseph M. Drayton in Support of Plaintiffs' Counter-Statement of Genuine Issues of Material Fact in Dispute in Opposition to Defendant's Motion for Partial Summary Judgment on Willful Infringement, with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on November 21, 2007, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

**BY E-MAIL**

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# **EXHIBIT A**

**CONFIDENTIAL -- COUNSEL EYES ONLY****PRELIMINARY INFRINGEMENT CONTENTIONS**

<b>Patent No.:</b>	US 5,274,738
<b>Accused Products:</b>	Eyretel ContactStore, Eyretel MediaStore, Eyretel Contact 7000, eQuality ContactStore, ContactStore
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 2 (NSDE 000053-000062)</li> <li>3. Document 3 (NSDE 000063-000260)</li> <li>4. Document 4 (NSDE 000261-000476)</li> <li>5. Document 5 (NSDE 000477-000666)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
1. A digital modular voice processing system comprising:	
a) a host computer having a host processor, and a storage medium, a memory and a bus interface in communication with said host processor,	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture."</li> <li>• Document 2 - p. 1, 8-10.</li> <li>• Document 3 - p. 1-7 shows the requirements for eRecorder.</li> <li>• Document 3 - p. 2-2 shows the requirements for eRecorder.</li> </ul>
b) a first bus in communication with said bus interface,	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 3 - p. E-3 provides that "[i]f the server architecture uses ISA, select: SCbus; DSE/DSL/T with SCbus cards."</li> <li>• Document 3 - p. E-3 provides that "[i]f the server architecture uses PCI, then select: H100;</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>DSE/DSL T with H.100 cards.”</p> <ul style="list-style-type: none"> <li>• Document 2 - p. 2-5.</li> </ul>
<p>c) a voice processing card having at least one digital signal processor and at least one application processor in communication with said at least one digital signal processor, a first interface providing communication between said at least one application processor and said first bus, and a first time division multiplexer chip in communication with said at least one digital signal processor,</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>• Document 3 - p. E-4 provides that “[w]hen installing Dialogic resource cards for VTG boards where other Dialogic voice cards are installed, the Dialogic resource cards must have the lowest numbered board Ids.”</li> <li>• Document 2 - p. 2-5.</li> </ul>
<p>d) a second bus in communication with said first time division multiplexer chip, and</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>• Document 3 - p. E-3 provides that “[i]f the server architecture uses ISA, select: DSE/DSL T with SCbus cards.”</li> <li>• Document 3 - p. E-3 provides that “[i]f the server architecture uses PCI, then select: H100: DSE/DSL T with H.100 cards.”</li> <li>• Document 2 - p. 2-5.</li> </ul>
<p>e) at least one audio card including a second time division multiplexer chip that communicates with said second bus, an audio processor in communication with said second time division multiplexer chip,</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>and a second interface in communication with said audio processor, said second interface having a plurality of ports that provide communication with communication lines.</p>	<p>System.</p> <ul style="list-style-type: none"> <li>Document 3 - p. E-2 provides that "On the main HTML page of the eQuality Balance OEM installation CD (disk 2), locate the Dialogic section and click Install VTG DSE."</li> <li>Document 3 - p. E-3 provides that "If the server architecture uses PCI, then select: H100: DSE/DSLTL with H.100 cards."</li> <li>Document 3 - p. E-3 provides that If the server architecture uses ISA, select: SCbus: DSE/DSLTL with SCbus cards."</li> <li>Document 2 - p. 2-5.</li> <li>Document 5 - p. 3-15 lists all the "Supported Voice Boards" for eQuality Balance.</li> </ul>
<p>4. The system of claim 1 wherein said second interface of said audio card has means for converting analogue signals received from said ports to digital signals and converting digital data received from said audio processor to analog signals.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 8 provides that "[t]he ContactStore can support both analogue and digital interfaces in the traditional telephony environment, or a mix of the two within the same recording platform . . . Analogue connections can be connected on either trunk or extension side. Extension side analogue taps allow recordings to occur independent of the specific switch type, whereas DET connections require specific support on the interface card for each telephone handset."</li> <li>Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>Document 4 - p. A-55 shows the Dialogic D 160.</li> </ul>
<p>5. The system of claim 4 wherein said signal processor has means for performing voice compression and expansion, automatic gain control, dual tone multi-frequency extraction and voice activated operations.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "The ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> </ul>
<p>7. The system of claim 1 including a housing, said host computer, said first bus, said at least one voice processing card, said second bus, and said at least one audio card being supported by said housing and said at</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>least one voice processing card and said at least one audio card are physically and electrically connected, and said host computer is logically connected to said voice processing card and to said at least one audio card.</p>	<ul style="list-style-type: none"> <li>• Document 3 - p. 1-7 shows the requirements for eRecorder.</li> <li>• Document 3 - p. 2-2 shows the components for eRecorder.</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> </ul>
<p>8. A digital modular voice processing system comprising:</p>	
<p>a) an interface for receiving analogue voice signals from a telephone line and converting said analogue voice signals to digital voice data,</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 8 provides that "[t]he ContactStore provides support for: . . . [a]nologue connections. Analogue connections can be connected on either trunk or extension side. Extension side analogue taps allow recordings to occur independent of the specific switch type, whereas DET connections require specific support on the interface card for each telephone handset."</li> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> </ul>
<p>b) an audio processor in communication with interface,</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - see on page A-54, "Dialogic D/120 SC-Analog Voice Card," on page A-55, "Dialogic D/160 SC-Analog Voice Card," on page A-56, "Dialogic D/240 SC-T1 Voice Card," on page A-58, "Dialogic D/300 SC-E1 Voice Card," on page A-60, "Dialogic D/480 SC-T1 Voice Card," on page A-63, "Dialogic D/600 SC-2E1 Voice Card," on page A-66, "Dialogic D/960 SC-4T1 Voice Card," on page A-69, "Dialogic D/1200 SC-E1 Voice Card," on page A-71, "Music Telecom DAC 16 Voice Card" and on page A-74 "VTG DSE Voice Card."</li> </ul>
<p>c) first time division multiplexing means in communication with said audio processor for receiving and multiplexing said digital voice data and acting as</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
temporary storage for data,	<ul style="list-style-type: none"> <li>Document 4 - see on page A-54, "Dialogic D/120 SC-Analog Voice Card," on page A-55, "Dialogic D/160 SC-Analog Voice Card," on page A-56, "Dialogic D/240 SC-T1 Voice Card," on page A-58, "Dialogic D/300 SC-E1 Voice Card," on page A-60, "Dialogic D/480 SC-T1 Voice Card," on page A-63, "Dialogic D/600 SC-2E1 Voice Card," on page A-66, "Dialogic D/960 SC-4T1 Voice Card," on page A-69, "Dialogic D/1200 SC-E1 Voice Card," on page A-71, "Music Telecom DAC 16 Voice Card" and on page A-74 "VTG DSE Voice Card."</li> </ul>
d) a bus in communication with said first time division multiplexing means for receiving digital voice data therefrom,	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 3 - p. E-3 provides that "[i]f the server architecture uses PCI, then select: H100: DSE/DSL T with H.100 cards." (H100 is the TDM chip).</li> <li>Document 3 - p. E-3 provides that "[i]f the server architecture uses ISA, select: SCbus: DSE/DSL T with SCbus cards."</li> </ul>
e) second time division multiplexing means in communication with said bus for multiplexing digital voice data received from said bus,	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - see on page A-56, "Dialogic D/160 SC Resource Voice Card," on page A-59, "Dialogic D/320 SC Resource Voice Card" and on page A-65, "Dialogic D/640 SC Resource Voice Card."</li> </ul>
f) voice data processing means in communication with said second time division multiplexing means for receiving multiplexed digital voice data and performing digital processing operations on the multiplexed digital voice data,	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - see on page A-56, "Dialogic D/160 SC Resource Voice Card," on page A-59, "Dialogic D/320 SC Resource Voice Card" and on page A-65, "Dialogic D/640 SC Resource Voice Card."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>• Document 2 - p. 2-5.</li> </ul>
g) application processing means in communication with said voice data processing means for performing application processing on the processed digital voice data received from said voice data processing means, and	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>• Document 2 - p. 2-7.</li> </ul>
h) a host computer in communication with said application processing means for receiving and storing application processed digital voice data.	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 3 - p. 1-7 shows the processor and the drivers in communication with the application processors on the voice cards.</li> </ul>
9. The system of claim 8 wherein said host computer is in logical communication with said audio processor.	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - see on page A-54, "Dialogic D/120 SC-Analog Voice Card," on page A-55, "Dialogic D/160 SC-Analog Voice Card," on page A-56, "Dialogic D/240 SC-T1 Voice Card," on page A-58, "Dialogic D/300 SC-E1 Voice Card," on page A-60, "Dialogic D/480 SC-T1 Voice Card," on page A-63, "Dialogic D/600 SC-2E1 Voice Card," on page A-66, "Dialogic D/960 SC-4T1 Voice Card," on page A-69, "Dialogic D/1200 SC-E1 Voice Card," on page A-71, "Music Telecom DAC 16 Voice Card" and on page A-74 "VTG DSE Voice Card."</li> </ul>
10. The system of claim 8 wherein said voice data processing means performs voice compression and expansion; automatic gain control, extracts dual tone multi-frequency	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is</li> </ul>

NICE v. Witness 42234-0006

U.S. Patent 5,274,738

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
extraction and voice activated operations.	<p>connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</p> <ul style="list-style-type: none"> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>• Document 4 - see on page A-56, "Dialogic D/160 SC Resource Voice Card," on page A-59, "Dialogic D/320 SC Resource Voice Card" and on page A-65, "Dialogic D/640 SC Resource Voice Card."</li> </ul>
	<p>•</p>

NICE v. Witness 42234-006

U.S. Patent 5,396,371

**CONFIDENTIAL -- COUNSEL EYES ONLY****PRELIMINARY INFRINGEMENT CONTENTIONS**

<b>Patent No.:</b>	US 5,396,371
<b>Accused Products:</b>	Eyretel ContactStore, Eyretel MediaStore, Eyretel Contact 7000, eQuality ContactStore, ContactStore, Witness ContactStore for Communication Manager, Witness Quality for Communication Manager, Impact 360
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 4 (NSDE 000261-000476)</li> <li>3. Document 5 (NSDE 000477-000666)</li> <li>4. Document 6 (NSDE 000667-000730)</li> <li>5. Document 7 (NSDE 000731-000732)</li> <li>6. Document 8 (NSDE 000733-000846)</li> <li>7. Document 9 (NSDE 000847-000966)</li> <li>8. Document 10 (NSDE 000967-001138)</li> <li>9. Document 11 (NSDE 001139-001350)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
1. In a method of storing and retrieving audio from a digital audio logger, the steps comprising:  monitoring an audio source,	<ul style="list-style-type: none"> <li>Document 1 - p. 5 provides that "eQuality ContactStore is a powerful, flexible, scalable and resilient solution for contact recording of up to 100% of all voice contacts, across single or multiple distributed sites, on either traditional or IP telephony systems. eQuality ContactStore provides a complete contact recording solution incorporating a powerful, browser-based search, review and replay application as well as a range of online and rules-driven archive storage options to a range of media."</li> <li>Document 1 - p. 8 provides that the ContactStore provides trunk-side recording, extension/station</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>side recording and analogue connections.</p> <ul style="list-style-type: none"> <li>Document 5 - p. 2-3 provides that the BDR server "monitors and tracks contact center activity."</li> <li>Document 6 - p. G-5 describes the eRecorder as "[t]he server responsible for recording and playing back all voice and data for monitored interactions. The eRecorder works with the Content Manager and houses the multimedia data for all sessions. To play back customer interactions, the system accesses this recording subsystem used to capture and store voice and data streams as multimedia content associated with Contacts."</li> <li>Document 7 - p. 1, MediaStore monitors voice interactions.</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>
storing audio data from the audio source in a buffer,	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture."</li> <li>Document 1 - p. 8 provides that "[e]ach ContactStore can support up to 10,000 hours of online recording within the chassis (please check with Adtech for latest default storage capacity shipments). Alternatively external RAID 5 resilient online storage can provide up to 126000 channel hours of online storage per ContactStore."</li> <li>Document 5 - p. 2-3, provides that the BDR server "[u]ses the eRecorder to record agent voice or screen data relating to a contact."</li> <li>Document 7 - p. 1, MediaStore is a "platform for capturing customer contacts" which stores data for future use.</li> <li>Document 7 - p. 1, MediaStore holds voice recordings.</li> </ul>
writing the audio data from the buffer onto a digital audio tape and a random access storage device, and	<ul style="list-style-type: none"> <li>Document 1 - p. 8 provides that "[e]ach ContactStore can support up to 10,000 hours of online recording within the chassis (please check with Adtech for latest default storage capacity shipments). Alternatively external RAID 5 resilient online storage can provide up to 126000 channel hours of online storage per ContactStore. The ContactStore writes to the disk on a first-in first-out basis and will automatically overwrite the oldest data once the disk has become full."</li> <li>Document 5 - p. 2-3 provides that the eRecorder server "[p]rovides additional near-line storage options, such as high-volume tape archives, disk storage, and others."</li> <li>Document 8 - p. D-1, "In a single node environment, all the OTG software will reside on one</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>retrieving audio from the random access storage device while audio data is written into the digital audio tape and the random access storage device.</p>	<p>eRecorder, which will also have a HVS device attached to it. In a multinode environment, one eRecorder (typically the Master Node) will have the HVS device attached to it, as well as the OTG MediaStor software.”</p> <ul style="list-style-type: none"> <li>• Document 7 - p. 1, MediaStore has a disk storage option.</li> <li>• Document 1 - p. 7 provides that “[v]iewer - provides a browser-based application through which any user in the enterprise and beyond can search for and replay recorded contacts.”</li> <li>• Document 1 - p. 7 provides that “[r]eplay to the Telset: AudioServer - the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of AudioServer to the configuration allows the user to elect to replay the recordings through a telephone.”</li> <li>• Document 5 - p. 2-3 describes how the “eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later.”</li> <li>• Document 5 - p. 3-8 states that “Voice Media Channels can be configured with record and playback capability.”</li> <li>• Document 5 - p. 3-11 states that “the eRecorder stores recorded content to disk in a proprietary content database. Later, the BDR Server can playback the content by specifying the Media Channel used to record the content, as well as the start and stop times of the content recording.”</li> <li>• Document 7 - p. 1, MediaStore storage options provide “instant access.”</li> <li>• Document 7 - p. 2, “Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>• Document 9 - p. 71, shows the ability to select a “Record Only” or “Both Record and Playback” configuration “in the Voice Card section of the System Administration Application.”</li> </ul>
<p>2. The method of claim 1 including the further steps of providing the random storage device with a primary partition and writing voice data onto the primary partition in time defined manner.</p>	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-1 provides that “[w]ith eQuality Balance, you define the types of interactions that the system records, letting you capture communications that meet certain criteria or that occur at a given time for a certain interval.”</li> <li>• Document 5 - p. 3-6 provides that “[t]he Contact Manager creates contacts to record information about each call received. Recorded information includes the start time, stop time, devices involved in the call, agents involved in the call, and the events themselves.”</li> <li>• Document 10 - p. 15, 17 provides “[e]ach call that is recorded by eQuality ContactStore IP results</li> </ul>



CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>in one or more files being stored in a disk buffer . . . Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed.”</p>
<p>5. In a system for processing audio having an interface for receiving audio from an audio source, a digital signal processor in communication with the interface for compressing the audio signals, a controller in communication with the digital signal processor for receiving audio therefrom and arranging data in a prescribed order, a supervisor in communication with said controller accessing data from said system, and a buffer in communication with the controller for receiving arranged audio from the controller, the improvement comprising:</p>	
<p>a digital audio tape drive unit in communication with the buffer for receiving arranged audio data from the buffer,</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</li> <li>Document 1 - p. 8 provides that “[t]he ContactStore writes to the disk on a first-in first-out basis and will automatically overwrite the oldest data once the disk has become full . . . Each ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis.”</li> <li>Document 8 - p. D-1, “In a single node environment, all the OTG software will reside on one eRecorder, which will also have a HVS device attached to it. In a multinode environment, one eRecorder (typically the Master Node) will have the HVS device attached to it as well as the OTG</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>MediaStor software.”</p> <ul style="list-style-type: none"> <li>Document 4 - p. 4-19 “The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later. The eRecorder server features a scalable architecture that provides high-volume recording and storage and that allows additional storage expansion using Storage Area Networks (SANs) and Network Attached Storage (NAS) or near-line storage options, such as highvolume tape archives, disk storage, and others.”</li> </ul>
<p>a random access storage device, and</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture.”</li> <li>Document 1 - p. 8 provides that “[e]ach ContactStore can support up to 10,000 hours of online recording within the chassis (please check with Adtech for latest default storage capacity shipments). Alternatively external RAID 5 resilient online storage can provide up to 126000 channel hours of online storage per ContactStore.”</li> <li>Document 4 - p. 4-19 “The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later. The eRecorder server features a scalable architecture that provides highvolume recording and storage and that allows additional storage expansion using Storage Area Networks (SANs) and Network Attached Storage (NAS) or near-line storage options, such as highvolume tape archives, disk storage, and others.”</li> <li>Document 5 - p. 3-11 states that “the eRecorder stores recorded content to disk in a proprietary content database. Later, the BDR Server can playback the content by specifying the Media Channel used to record the content, as well as the start and stop times of the content recording.”</li> </ul>
<p>a pair of pointers providing communication between said buffer and random storage device, the first of said pointers operative for transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required.”</li> <li>Document 11 - p. 89/212, from directory, “The Witness Server is the basic hardware/software suite supplied by Witness Systems. The Telephony Server is hardware and software provided to interface with a telephone office. The Voice Server is the hardware required to record and playback voices.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>6. The system of claim 5 further including a speaker in communication with said controller for playing audio retrieved from said random access storage device.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> </ul>
<p>8. An audio data storage device, comprising:</p>	
<p>a random access storage device having a primary partition for storing audio data and a secondary partition for storing means for locating data on said primary partition and a pair of pointers in communication with said random access memory, a first of said pointers being operated to transmit data to said random access storage device and the second of said pointers being operative to retrieve audio data from said random access storage device.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture."</li> <li>Document 5 - p. 3-11 states that "the eRecorder stores recorded content to disk in a proprietary content database. Later, the BDR Server can playback the content by specifying the Media Channel used to record the content, as well as the start and stop times of the content recording."</li> <li>Document 10 - p. 4 "The recorder uses a single disk buffer path on which to retain the most recent recordings . . . Where a more self-contained archival system is required, archival directly to a DVD-RAM drive is supported."</li> <li>Document 10 - p. 7 describes the Replay via Viewer: "The default replay mechanism supported is Viewer. This is a browser-based interface, requiring Internet Explorer Version 5.5. The replay mechanism is hosted on Microsoft's Internet Information Server (IIS), hence the need for Windows 2000 Server to be installed on the PC used for eQuality ContactStore IP if more than 5 clients are to be supported concurrently."</li> </ul>

NICE v. Witness 42234-0006

U.S. 5,819,005

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<b>Patent No.:</b>	US 5,819,005
<b>Accused Products:</b>	Eyretel ContactStore, Eyretel MediaStore, Eyretel Contact 7000, eQuality ContactStore, ContactStore
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 2 (NSDE 000053-000062)</li> <li>3. Document 3 (NSDE 000063-000260)</li> <li>4. Document 4 (NSDE 000261-000476)</li> <li>5. Document 8 (NSDE 000733-000846)</li> <li>6. Document 9 (NSDE 000847-000966)</li> <li>7. Document 10 (NSDE 000967-001138)</li> <li>8. Document 12 (NSDE 001351-001495)</li> <li>9. Document 13 (NSDE 001496-001500)</li> <li>10. Document 15 (NSDE 001669-001772)</li> <li>11. Document 16 (NSDE 001773-001844)</li> <li>12. Document 32 (NSDE 002850-002901)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
1. A modular digital recording logger, comprising:	
a housing;	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>• Document 1 - p. 7 provides that "Chassis: The ContactStore is based around an industry standard</li> </ul>

NICE v. Witness 42234-0006

U.S. 5,819,005

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>PC platform and incorporates a Pentium class processor and PCI bus architecture.”</p> <ul style="list-style-type: none"> <li>• Document 2 - p. 1, 8-10.</li> <li>• Document 3 - p. 1-7 shows the requirements for eRecorder.</li> <li>• Document 3 - p. 2-2 shows the requirements for eRecorder.</li> </ul>
<p>at least two circuit modules in said housing for converting analog voice signals to digital voice signals, each of said circuit modules including at least two terminals for receiving said analog voice signals, each of said terminals being capable of receiving said analog voice signals for recording a two-way conversation;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>• Document 1 - p. 8 provides that “[t]he ContactStore can support both analogue and digital interfaces in the traditional telephony environment, or a mix of the two within the same recording platform . . . Analogue connections can be connected on either trunk or extension side. Extension side analogue taps allow recordings to occur independent of the specific switch type, whereas DET connections require specific support on the interface card for each telephone handset.”</li> <li>• Document 2 - p. 2-5.</li> <li>• Document 12 - p. Servers 4 of 9, shows how the typical components on eQuality Application Server houses “Dialogic Voice Cards — Voice connectivity is handled by one or more dialogic boards.”</li> <li>• Document 13 - p. 4 shows how the eRecorder houses an analog card and an analog passive-tap voice card.</li> </ul>
<p>a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>• Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>• Document 2 - p. 2-3.</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>a first bus in said housing for providing communication between said circuit module and said compressing circuit;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>• Document 2 - p. 2-3.</li> </ul>
<p>a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus; and</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>• Document 3 - p. E-4 provides that "[w]hen installing Dialogic resource cards for VTG boards where other Dialogic voice cards are installed, the Dialogic resource cards must have the lowest numbered board IDs</li> <li>• Document 2 - p. 2-5.</li> </ul>
<p>a digital audio tape (DAT) drive for storing said compressed voice data.</p>	<ul style="list-style-type: none"> <li>• Document 10 - p. 61-62, "Should you require recordings to be archived and hence available beyond the time span catered for by the hard disk storage you have specified, then you need to implement an archiving mechanism. For example, a Windows 2000 Backup that copies the files associated with the recordings to a tape or other removable media.</li> <li>• Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> <li>• Document 4 - p. 4-19 "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later. The</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>eRecorder server features a scalable architecture that provides high-volume recording and storage and that allows additional storage expansion using Storage Area Networks (SANs) and Network Attached Storage (NAS) or near-line storage options, such as high-volume tape archives, disk storage, and others.</p> <ul style="list-style-type: none"> <li>Document 8 - p. D-1, "In a single node environment, all the OTG software will reside on one eRecorder, which will also have a HVS device attached to it. In a multinode environment, one eRecorder (typically the Master Node) will have the HVS device attached to it, as well as the OTG MediaStor software."</li> <li>Document 2 - p. 10.</li> </ul>
<p>2. The modular digital recording logger of claim 1, further including a clock in communication with said computer.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 5 provides that "[w]ith ContactStore Plus, user-configured, business driven rules offer "intelligent" call structuring and organisation for your contact center. The system synchronizes the captured voice and desktop activity during replay, allowing you to observe and analyze complete customer interactions as they actually occur."</li> <li>Document 12 - p. Overview 2 of 4, "Full voice and data synchronization, making it easy to record and review both the voice and data actions of agents - to achieve thorough and objective call monitoring."</li> <li>Document 15 - p. 20, "The data is stored with a date and time stamp per media."</li> </ul>
<p>3. The modular digital recording logger of claim 1, further including a speaker in communication with at least one circuit module.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>
<p>4. The modular digital recording logger of claim 1, further comprising a hard disk drive in said housing for storing and reproducing said compressed voice data.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture . . . The front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>5. The modular digital recording logger of claim 4, further comprising: a computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals; and</p>	<ul style="list-style-type: none"> <li>Document 32 - p. 9 provides "SCSI Hard Drive Array -- Typically, all operating system and third party software is maintained on its own SCSI hard drive, mirrored RAID 1 on a single controller. All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array."</li> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required."</li> <li>Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>
<p>a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required."</li> <li>Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> </ul>
<p>6. The modular digital recording logger of claim 1, wherein said first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</p> <ul style="list-style-type: none"> <li>• Document 3 - p. E-3 provides that “[i]f the server architecture uses PCI, then select: H100: DSE/DSLTLT with H.100 cards.”</li> <li>• Document 2 - p. 2-5.</li> </ul>
<p>7. The modular digital recording logger of claim 1, wherein said second bus is a small computer system interface (SCSI) bus and further comprising a SCSI adapter for connecting said computer to said SCSI bus.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</li> <li>• Document 12 - p. Servers 4 of 9, “Typically, all operating system and third party software is maintained on its own SCSI hard drive.”</li> </ul>
<p>8. The modular digital recording logger of claim 1, wherein said compressing circuit is a processor.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</li> <li>• Document 2 - p. 2-3.</li> </ul>
<p>10. The modular digital recording logger of claim 7, further including a random access memory (RAM) for storing said compressed voice data before it is transmitted to the SCSI adapter.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>to the overall system as required.”</p> <ul style="list-style-type: none"> <li>Document 16 - p. 67, “The prototypical eRecorder is a dual processor with one GB of RAM.”</li> </ul>
<p>11. A network system of modular digital recording loggers, comprising:</p> <p>at least two digital recording loggers for logging voice conversations, each of said recording loggers comprising:</p> <p>a housing;</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “ContactStore – the recording and storage platform. Multiple ContactStores can be deployed to scale up to the number of channels or seats required.”</li> <li>Document 1 - p. 7 provides that “[a] single eWare database can control multiple recorders on a single-site or multi-site basis.”</li> <li>Document 1 - p. 7 provides that “[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required.”</li> <li>Document 1 - p. 7 provides that “Chassis: The ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture.”</li> <li>Document 2 - p. 1, 8-10.</li> <li>Document 3 - p. 1-7 shows the requirements for eRecorder.</li> <li>Document 3 - p. 2-2 shows the requirements for eRecorder.</li> </ul>
<p>a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit modules including at least two terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation,</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>Document 1 - p. 8 provides that “[t]he ContactStore can support both analogue and digital interfaces in the traditional telephony environment, or a mix of the two within the same recording platform . . . Analogue connections can be connected on either trunk or extension side. Extension side analogue taps allow recordings to occur independent of the specific switch type, whereas DET connections require specific support on the interface card for each telephone handset.”</li> <li>Document 12 - p. Servers 4 of 9 shows how the typical components on eQuality Application Server houses “Dialogic Voice Cards — Voice connectivity is handled by one or more dialogic boards.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 13 - p. 4 shows how the eRecorder houses an analog card and an analog passive-tap voice card.</li> <li>Document 2 - p. 2-5.</li> </ul>
<p>a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data,</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>Document 2 - p. 2-3.</li> </ul>
<p>a first bus in said housing for providing communication between said circuit module and said compressing circuit,</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>Document 2 - p. 2-5.</li> </ul>
<p>a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
circuit modules on said first bus,	<ul style="list-style-type: none"> <li>Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>Document 3 - p. E-4 provides that "[w]hen installing Dialogic resource cards for VTG boards where other Dialogic voice cards are installed, the Dialogic resource cards must have the lowest numbered board IDs." (voice processing card = Dialogic resource card).</li> <li>Document 2 - p. 2-5.</li> </ul>
a digital audio tape (DAT) drive for storing said compressed voice data,	<ul style="list-style-type: none"> <li>Document 10 - p. 61-62, "Should you require recordings to be archived and hence available beyond the time span catered for by the hard disk storage you have specified, then you need to implement an archiving mechanism. For example, a Windows 2000 Backup that copies the files associated with the recordings to a tape or other removable media.</li> <li>Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> <li>Document 4 - p. 4-19 "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later. The eRecorder server features a scalable architecture that provides high-volume recording and storage and that allows additional storage expansion using Storage Area Networks (SANs) and Network Attached Storage (NAS) or near-line storage options, such as high-volume tape archives, disk storage, and others.</li> <li>Document 8 - p. D-1, "In a single node environment, all the OTG software will reside on one eRecorder, which will also have a HVS device attached to it. In a multinode environment, one eRecorder (typically the Master Node) will have the HVS device attached to it, as well as the OTG MediaStor software."</li> </ul>
a hard disk drive in said housing for storing and reproducing said compressed voice data,	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture . . . The front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> <li>Document 32 - p. 9 provides "SCSI Hard Drive Array -- Typically, all operating system and third party software is maintained on its own SCSI hard drive, mirrored RAID 1 on a single controller. All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture."</li> <li>Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> </ul>
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	<ul style="list-style-type: none"> <li>Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> </ul>
a second computer for processing compressed digital voice signals received from each of said recording loggers; and	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "Replay Station -- by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders."</li> <li>Document 1 - p. 14 provides that "[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access."</li> </ul>
a third bus connecting each of said recording loggers to said second computer.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "Replay Station -- by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders."</li> <li>Document 1 - p. 14 provides that "[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access."</li> </ul>
12. The network system of claim 11, further comprising a clock in communication with said first computer.	<ul style="list-style-type: none"> <li>Document 1 - p. 5 provides that "[w]ith ContactStore Plus, user-configured, business driven rules offer "intelligent" call structuring and organisation for your contact center. The system synchronizes the captured voice and desktop activity during replay, allowing you to observe and analyze complete customer interactions as they actually occur."</li> <li>Document 12 - p. Overview 2 of 4, "Full voice and data synchronization, making it easy to record and review both the voice and data actions of agents -- to achieve thorough and objective call</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>monitoring.”</p> <ul style="list-style-type: none"> <li>• Document 15 - p. 20, “The data is stored with a date and time stamp per media.”</li> </ul>
<p>13. The network system of claim 11, wherein said third bus is a local area network (LAN) bus.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “AudioServer – the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of AudioServer to the configuration allows the user to elect to replay the recordings through a telephone.”</li> </ul>
<p>14. The network system of claim 13, wherein said second computer and each of said recording loggers further include a LAN adapter for providing connection to said LAN bus.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “AudioServer – the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of AudioServer to the configuration allows the user to elect to replay the recordings through a telephone.”</li> <li>• Document 1 - p. 7 provides that “Replay Station – by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders.”</li> <li>• Document 1 - p. 14 provides that “[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access.”</li> </ul>
<p>15. The network system of claim 11, wherein said first bus is a time division multiplexed (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</li> <li>• Document 2 - p. 2-5.</li> </ul>
<p>16. The network system of claim 11, wherein said second bus is a small computer system interface (SCSI) bus and further comprising a SCSI adapter for connecting said first computer to said SCSI bus.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</p> <ul style="list-style-type: none"> <li>• Document 12 - p. Servers 4 of 9, “Typically, all operating system and third party software is maintained on its own SCSI hard drive.”</li> </ul>
<p>17. The network system of claim 16, further comprising a random access memory (RAM) for storing said compressed voice data before it is transmitted to the SCSI adapter.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</li> <li>• Document 16 - p. 67, “The prototypical eRecorder is a dual processor with one GB of RAM.”</li> </ul>
<p>18. The network system of claim 11, wherein said compressing circuit is a processor.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side. The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required.”</li> <li>• Document 2 - p. 2-3.</li> </ul>
<p>20. The network system of claim 11, wherein said second computer is a workstation.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “AudioServer – the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of Audioserver to the configuration allows the user to elect to replay the recordings through a telephone.”</li> <li>• Document 1 - p. 7 provides that “Replay Station – by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders.”</li> <li>• Document 1 - p. 14 provides that “[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access."
<p>21. The network system of claim 11, further comprising a speaker in communication with said second computer for reproducing said analog voice signals.</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> <li>• Document 1 - p. 14 provides that "[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access."</li> <li>• Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>
<p>22. A method of manufacturing a modular digital recording logger, comprising the steps of:</p>	
<p>selecting a number of circuit modules for converting analog voice signals to and from digital voice signals, each of said circuit modules including at least two terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>• Document 2 - p. 10.</li> <li>• Document 12 - p. Servers 4 of 9 shows how the typical components on eQuality Application Server houses "Dialogic Voice Cards — Voice connectivity is handled by one or more dialogic boards."</li> <li>• Document 13 - p. 4 shows how the eRecorder houses an analog card and an analog passive-tap voice card.</li> <li>• Document 2 - p. 2-7.</li> </ul>
<p>installing said selected number of said circuit modules in a housing;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>• Document 1 - p. 7 provides that "Chassis: The ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>• Document 2 - p. 1, 8-10.</li> <li>• Document 3 - p. 1-7 shows the requirements for eRecorder.</li> <li>• Document 3 - p. 2-2 shows the requirements for eRecorder.</li> </ul>
installing a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data;	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>• Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>• Document 2 - p. 2-3.</li> </ul>
installing a first bus in said housing for providing communication between said circuit module and said compressing circuit;	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 2 - p. 2-5.</li> </ul>
installing a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus; and	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 2 - p. 2-5.</li> </ul>
installing a digital audio tape (DAT) drive in said housing for	<ul style="list-style-type: none"> <li>• Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
storing and reproducing said compressed voice data.	<ul style="list-style-type: none"> <li>Document 10 - p. 61-62, "Should you require recordings to be archived and hence available beyond the time span catered for by the hard disk storage you have specified, then you need to implement an archiving mechanism. For example, a Windows 2000 Backup that copies the files associated with the recordings to a tape or other removable media."</li> </ul>
23. The method of claim 22, further comprising the steps of connecting to said comprising circuit a hard disk drive for storing and reproducing said compressed voice data.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture . . . The front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>
24. A method of networking a plurality of digital recording loggers, comprising the step of:	
selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers comprising:	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>Document 1 - p. 7 provides that "ContactStore - the recording and storage platform. Multiple ContactStores can be deployed to scale up to the number of channels or seats required."</li> <li>Document 1 - p. 7 provides that "[...]A single eWare database can control multiple recorders on a single-site or multi-site basis."</li> <li>Document 2 - p. 10.</li> </ul>
a housing;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>Document 1 - p. 7 provides that "Chassis: The ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture."</li> <li>Document 2 - p. 1, 8-10.</li> <li>Document 3 - p. 1-7 shows the requirements for eRecorder.</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit including a plurality of terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation,</p>	<ul style="list-style-type: none"> <li>• Document 3 - p. 2-2 shows the requirements for eRecorder.</li> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 1 - p. 8 provides that "[t]he ContactStore can support both analogue and digital interfaces in the traditional telephony environment, or a mix of the two within the same recording platform . . . . Analogue connections can be connected on either trunk or extension side. Extension side analogue taps allow recordings to occur independent of the specific switch type, whereas DET connections require specific support on the interface card for each telephone handset."</li> <li>• Document 12 - p. Servers 4 of 9 shows how the typical components on eQuality Application Server houses "Dialogic Voice Cards — Voice connectivity is handled by one or more dialogic boards."</li> <li>• Document 13 - p. 4 shows how the eRecorder houses an analog card and an analog passive-tap voice card.</li> <li>• Document 2 - p. 2-7.</li> </ul>
<p>a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data,</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>• Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>• Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>• Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>• Document 2 - p. 2-3.</li> </ul>
<p>a first bus in said housing for providing communication between said circuit module and said compressing circuit,</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>Document 4 - p. A-54 shows the Dialogic D 120.</li> <li>Document 4 - p. A-55 shows the Dialogic D 160.</li> <li>Document 2 - p. 2-5.</li> </ul>
<p>a multiplexer circuit in said housing for providing communication between said processor and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus,</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>Document 4 - p. A-53 shows three resource cards: D 160, D 320 and D 640.</li> <li>Document 3 - p. E-4 provides that "[w]hen installing Dialogic resource cards for VTG boards where other Dialogic voice cards are installed, the Dialogic resource cards must have the lowest numbered board IDs." (voice processing card = Dialogic resource card).</li> <li>Document 2 - p. 2-5.</li> </ul>
<p>a digital audio tape (DAT) drive for storing and reproducing said compressed voice data,</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 61-62, "Should you require recordings to be archived and hence available beyond the time span catered for by the hard disk storage you have specified, then you need to implement an archiving mechanism. For example, a Windows 2000 Backup that copies the files associated with the recordings to a tape or other removable media.</li> <li>Document 1 - p. 8 provides that "[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis."</li> </ul>
<p>a hard disk drive for storing and reproducing said compressed voice data,</p>	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture . . . The front panel of the recorder includes an LCD display, control panel and replay loudspeaker, which support the configuration, alarming, control and replay of calls directly from the recorder if required."</li> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the</li> </ul>

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a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	<p>screen activity.”</p> <ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “Chassis: The ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture.”</li> <li>Document 1 - p. 8 provides that “[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis.”</li> </ul>
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “Chassis: The ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture.”</li> <li>Document 1 - p. 8 provides that “[e]ach ContactStore supports up to two hot-swap DAT (Digital Audio Tape) drives within each chassis.”</li> </ul>
installing said selected number of said recording loggers;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “ContactStore – the recording and storage platform. Multiple ContactStores can be deployed to scale up to the number of channels or seats required.”</li> <li>Document 1 - p. 7 provides that “[a] single eWare database can control multiple recorders on a single-site or multi-site basis.”</li> </ul>
installing a second computer for processing compressed digital voice signals received from each of said recording loggers; and	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “Replay Station – by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders.”</li> <li>Document 1 - p. 14 provides that “[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access.”</li> </ul>
installing a third bus connecting each of said recording loggers to said second computer.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “AudioServer – the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of AudioServer to the configuration allows the user to elect to replay the recordings through a telephone.”</li> <li>Document 1 - p. 7 provides that “Replay Station – by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders.”</li> <li>Document 1 - p. 14 provides that “[t]he Viewer application is designed to be accessed through a</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access.”
25. The method of claim 24, wherein said third bus is a local area network (LAN) bus.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “AudioServer – the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of AudioServer to the configuration allows the user to elect to replay the recordings through a telephone.”</li> </ul>
26. The method of claim 25, wherein said second computer and each of said recording loggers further include a LAN adapter for providing connection to said LAN bus.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “AudioServer – the default means of replaying recordings is through the LAN / WAN to the PC soundcard but the addition of AudioServer to the configuration allows the user to elect to replay the recordings through a telephone.”</li> <li>Document 1 - p. 7 provides that “Replay Station – by fitting a PC with a DAT tape drive it is possible to search for and replay recorded contacts at a separate location not networked with the ContactStore recorders, or to make archived contacts available across the network without loading them into the recorders.”</li> <li>Document 1 - p. 14 provides that “[t]he Viewer application is designed to be accessed through a Web browser, such that users throughout the company can view contacts, evaluations, and reports by allowing all authorized users to search for and replay recorded contacts from any workstation with Intranet access.”</li> </ul>

NICE v. Dictaphone 42234-0006

US 6,249,570

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<b>Patent No.:</b>	US 6,249,570
<b>Accused Products:</b>	Eyretel Contact 7000, eQuality Balance, eQuality ContactStore for IP, eQuality ContactStore, Witness Quality for Communication Manager, Witness ContactStore for Communication Manager, Impact 360
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 5 (NSDE 000477-000666)</li> <li>3. Document 7 (NSDE 000731-000732)</li> <li>4. Document 9 (NSDE 000847-000966)</li> <li>5. Document 10 (NSDE 000967-001138)</li> <li>6. Document 14 (NSDE 001501-001668)</li> <li>7. Document 17 (NSDE 001845-001881)</li> <li>8. Document 18 (NSDE 001882-001910)</li> <li>9. Document 19 (NSDE 001911-001964)</li> <li>10. Document 20 (NSDE 001965-001978)</li> <li>11. Document 21 (NSDE 001979-001999)</li> <li>12. Document 22 (NSDE 002000-002008)</li> <li>13. Document 23 (NSDE 002009-002022)</li> <li>14. Document 24 (NSDE 002023-002052)</li> <li>15. Document 25 (NSDE 002053-002214)</li> <li>16. Document 26 (NSDE 002215-002296)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
6. A method for recording information regarding telephone calls comprising	

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>one or more segments, comprising:</p> <p>(a) receiving audio data regarding one or more telephone call segments relating to one or more telephone calls, and data regarding telephony events associated with said telephone call segments;</p>	<ul style="list-style-type: none"> <li>Document 9 - p. 11 shows the logical relationship of the ContactStore Plus components where eQuality ContactStore is logically connected to the PSTN to receive audio data and is logically connected to Unify to receive CTI information.</li> <li>Document 5 - p. 2-3, The BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>Document 5 - p. 2-3, "The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> </ul>
<p>(b) storing the received audio data regarding telephone call segments;</p>	<ul style="list-style-type: none"> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>Document 5 - p. 3-3, Fig. 1 shows the eRecorder Server and the eRecorder Disk.</li> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . The content is specifically the voice, screen data, or both captured during an interaction."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>call are synchronized for high-quality replay.”</p> <ul style="list-style-type: none"> <li>• Document 10 - p. 5-6: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval.”</li> <li>• Document 26 - p. 20: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval.”</li> <li>• Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>• Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
(c) storing the received data regarding telephony events associated with said telephone call segments;	<ul style="list-style-type: none"> <li>• Document 5 - p. 2-4, “eQuality database is a centralized database that stores eQuality configuration, contact information, and agent evaluations.”</li> <li>• Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations.”</li> <li>• Document 5 - p. 2-2 Figure 1, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>captured during the interaction.”</p> <ul style="list-style-type: none"> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 18 - slide 16 shows a screen image with telephony events listed along the left side.</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>• Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . [xml] files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> <li>• Document 10 - p. 5-6: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval.”</li> <li>• Document 26 - p. 20: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval.”</li> <li>• Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> </ul>



NICE v. Dictaphone 42234-0006

US 6,249,570

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 14 - p. 36: "Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> </ul>
(d) identifying telephone call segments that relate to one telephone call; and	<ul style="list-style-type: none"> <li>Document 14 - p. 21, "[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> <li>Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database"</li> <li>Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center; evaluating business rules based on these events, and storing this information in the database as contacts."</li> <li>Document 9 - p. 10, "BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 5 - p. 2-2 Figure 1, shows the eQuality Balance System Components.</li> <li>Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>Document 9 - p. 9, "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>Document 9 - p. 12, "Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance's BDR server by sending CTI events, session event attributes, and contact event attributes."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the</li> </ul>

NICE v. Dictaphone 42234-0006

US 6,249,570

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>(e) constructing a data representation of a lifetime of the telephone call using data regarding telephony events associated with the telephone call segments of the telephone call, wherein said data representation comprises, for each segment of the call, the location of the stored audio data of that segment and the start time, end time, and duration of that segment.</p>	<p>call are synchronized for high-quality replay.”</p> <ul style="list-style-type: none"> <li>Document 21 - Slide 16, - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> <li>Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are “listed in the events list.” In the Events List, “eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list.”</li> <li>Document 22 - p. 2 states that “eQuality Balance stores an internal inventory of all online and offline media in the system. This inventory system ensures that media is not dedicated to a specific hardware device so that when hardware configuration or media locations change, the internal inventory is automatically updated so that eQuality Balance always knows the location of media.”</li> <li>Document 10 - p. 15 states that “[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in.”</li> <li>Document 23 - p. 1-5 states that “[t]his service records audio from the network interface and places the recordings in “.WAV” files on the hard disk in real-time. Associated with each .WAV file, there is a corresponding .XML file holding all relevant call details.”</li> <li>Document 14 - p. 21, “Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls.”</li> <li>Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>Document 24 - slide 20 shows a screen image with a listing of call start times &amp; call lengths.</li> <li>Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording . . . [including] Start and end time in ISO format giving local time and offset from GMT.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 7 - p. 2: "MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly."</li> <li>Document 14 - p. 36: "Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations."</li> </ul>
<p>7. A method for recording information regarding telephone calls comprising one or more segments, comprising:</p> <p>(a) receiving audio data regarding one or more telephone call segments relating to one or more telephone calls, and data regarding telephony events associated with said telephone call segments, wherein the data regarding telephony events is received from a plurality of sources connected to a telephone switching environment, wherein at least one of the sources is a real-time link and at least one of the sources is not a real-time link;</p>	<ul style="list-style-type: none"> <li>Document 18 - slide 17, shows a screen shot of an annotation to a call. It states that "Annotation allows you to add commentary or explanatory notes as you review the recorded contacts. At any point during playback, you can pause the recording and add annotations. When adding text or voice annotations, the system creates a new item in the event viewer and is indexed to the point in the contact record where you paused the playback." Annotations can be text or voice comments.</li> <li>Document 1 - p. 12, "The database has provision for the addition of User Defined Fields (UDF) which meet the specific business requirements of each customer, and these can be configured as required. The fields can be populated with data during the recording of the contact, or after the call (for instance to calculate the number of holds or transfers on the call and add that as a searchable parameter)."</li> <li>Document 25 - p. 10, "Important data entry often occurs after the customer hangs up. Therefore Witness Quality for Communication Manager enables you to extend random monitoring sessions beyond the end of the call with the after-call work timer."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> </ul>
<p>(b) storing the received audio data regarding telephone call segments;</p>	<ul style="list-style-type: none"> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 5 - p. 3-3, Fig. 1 shows the eRecorder Server and the eRecorder Disk.</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: "FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents."</li> <li>Document 17 - slide 14: "You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR's perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold."</li> <li>Document 9 - p. 11, shows the logical relationships between the components of ContactStore Plus. The Audio is stored in eQuality ContactStore.</li> </ul>
(c) storing the received data regarding telephony events associated with said telephone call segments;	<ul style="list-style-type: none"> <li>Document 5 - p. 2-4, "eQuality database is a centralized database that stores eQuality configuration, contact information, and agent evaluations."</li> <li>Document 9 - p. 10, "BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 5 - p. 2-2 Figure 1, shows the eQuality Balance System Components.</li> <li>Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . The content is specifically the voice, screen data, or both captured during an interaction."</li> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data</li> </ul>

NICE v. Dictaphone 42234-0006

US 6,249,570

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>is available for immediate playback or can be archived and retrieved for playback later.”</p> <ul style="list-style-type: none"> <li>Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> <li>Document 10 - p. 5-6: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval.”</li> <li>Document 26 - p. 20: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval.”</li> <li>Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> </ul>
(d) identifying telephone call segments that relate to one telephone call; and	<ul style="list-style-type: none"> <li>Document 14 - p. 21, “if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>Document 22 - p. 2, “Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database.”</li> <li>Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> <li>Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations.”</li> <li>Document 5 - p. 2-2 Figure 1, shows the eQuality Balance System Components.</li> </ul>



NICE v. Dictaphone 42234-0006

US 6,249,570

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>• Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>• Document 9 - p. 9, "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>• Document 9 - p. 12, "Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance's BDR server by sending CTI events, session event attributes, and contact event attributes."</li> <li>• Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> </ul>
(e) constructing a data representation of a lifetime of the telephone call using data regarding telephony events associated with the telephone call segments of the telephone call.	<ul style="list-style-type: none"> <li>• Document 21 - Slide 16, - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>• Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> <li>• Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are "listed in the events list." In the Events List, "eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list."</li> <li>• Document 22 - p. 2 states that "eQuality Balance stores an internal inventory of all online and offline media in the system. This inventory system ensures that media is not dedicated to a specific hardware device so that when hardware configuration or media locations change, the internal inventory is automatically updated so that eQuality Balance always knows the location of media."</li> <li>• Document 10 - p. 15 states that "[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer - under a root directory specified using the Administrator snap-in."</li> <li>• Document 23 - p. 1-5 states that "[t]his service records audio from the network interface and places the recordings in ".WAV" files on the hard disk in real-time. Associated with each .WAV file,</li> </ul>

NICE v. Dictaphone 42234-0006

US 6,249,570

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>there is a corresponding .XML file holding all relevant call details.”</p> <ul style="list-style-type: none"> <li>• Document 14 - p. 21, “Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls.”</li> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 24 - slide 20 shows a screen image with a listing of call start times &amp; call lengths.</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording . . . [including] Start and end time in ISO format giving local time and offset from GMT.”</li> </ul>

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Page 11 of 11

NICE v. Witness 42234-0006

US 6,728,345

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<b>Patent No.:</b>	US 6,728,345
<b>Accused Products:</b>	eQuality Balance, eQuality ContactStore for IP, eQuality ContactStore, Witness Quality for Communication Manager, Witness ContactStore for Communication Manager, Impact 360
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 5 (NSDE 000477-000666)</li> <li>3. Document 7 (NSDE 000731-000732)</li> <li>4. Document 9 (NSDE 000847-000966)</li> <li>5. Document 10 (NSDE 000967-001138)</li> <li>6. Document 12 (NSDE 001351-001495)</li> <li>7. Document 14 (NSDE 001501-001668)</li> <li>8. Document 17 (NSDE 001845-001881)</li> <li>9. Document 18 (NSDE 001882-001910)</li> <li>10. Document 19 (NSDE 001911-001964)</li> <li>11. Document 20 (NSDE 001965-001978)</li> <li>12. Document 21 (NSDE 001979-001999)</li> <li>13. Document 23 (NSDE 002009-002022)</li> <li>14. Document 24 (NSDE 002023-002052)</li> <li>15. Document 25 (NSDE 002053-002214)</li> <li>16. Document 26 (NSDE 002215-002296)</li> <li>17. Document 27 (NSDE 002297-002378)</li> <li>18. Document 28 (NSDE 002379-002447)</li> <li>19. Document 29 (NSDE 002448-002623)</li> <li>20. Document 30 (NSDE 002624-002769)</li> <li>21. Document 31 (NSDE 002770-002849)</li> <li>22. Document 32 (NSDE 002850-002901)</li> </ol>

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23. Document 42 (NSDE 004017-004021)

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>1. A system for recording information regarding telephone calls with three or more participants and comprising one or more telephone call segments, comprising:</p> <p>(a) a first memory having one or more locations storing audio data of telephone call segments</p>	<ul style="list-style-type: none"> <li>• Document 9 - p. 9, explains that in the ContactStore, "eWare is the component used to record voice data, as well as manage the recording system and its database."</li> <li>• Document 5 - p. 2-3, notes that in the eQuality Balance, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>• Document 5 - p. 3-3, Fig. 1, shows the eRecorder Server and the eRecorder Disk components of the eQuality Balance, which store audio data of a telephone call segment.</li> <li>• Document 32 - p. 9, explains that in the Witness Quality for Communications Manager, "All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array."</li> <li>• Document 5 - p. 3-12, describes how eQuality Balance supports Follow-the-Call (FTC) recording: "FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents."</li> <li>• Document 17 - slide 14, states that with the eQuality Balance "[y]ou can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR's perspective), Consultations, in which the CSRs return to an original call after placing a customer on hold."</li> <li>• Document 14 - p. 36: "Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations."</li> <li>• Document 7 - p. 2: "MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in</li> </ul>

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<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
	<p>progress or is recently completed, MediaStore can replay instantly.”</p> <ul style="list-style-type: none"> <li>Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
<p>(b) a second memory having one or more locations storing data regarding telephony events associated with the telephone call segments; and</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-4, explains that in the eQuality Balance, the “eQuality database is a centralized database that stores eQuality configuration, contact information, and agent evaluations,” all of which comprise data regarding telephony events associated with the telephone call segments.</li> <li>Document 5 - p. 2-3, states that “[t]he BDR Server [of the eQuality Balance] . . . Stores information related to each contact in the eQuality database.”</li> <li>Document 9 - p. 4, explains that in the ContactStore, “The BRD server . . . saves contact information.”</li> <li>Document 32 - p. 9, explains that in the Witness Quality for Communications Manager, “All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array.”</li> <li>Document 5 - p. 3-12, describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>Document 17 - slide 14, states that with the eQuality Balance “[y]ou can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective), Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
(c) a processor programmed to:	<ul style="list-style-type: none"> <li>Document 9 - p. 9, addresses the ContactStore system: "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>Document 5 - p. 3-4, states that "[e]ach event is processed by the BDR Server and an appropriate action is taken."</li> <li>Document 32 - p. 16: "The Witness Quality for Communication Manager Kernel initially handles all requests for voice and data monitoring, using the other Witness Quality for Communication Manager server executables as processes to manage hardware requests and file handling tasks."</li> </ul>
(i) identify telephone call segments that relate to the same telephone call and	<ul style="list-style-type: none"> <li>Document 14 - p. 21, "if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer; a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> <li>Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> <li>Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> <li>Document 9 - p. 10, "BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>Document 9 - p. 9, "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>Document 9 - p. 12, "Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance's BDR server by sending CTI events, session event attributes, and</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
(ii) construct a data representation of lifetimes of the telephone calls that have three or more participants, wherein said data representations are constructed using data regarding telephony events associated with the telephone call segments.	<p>contact event attributes.”</p> <ul style="list-style-type: none"> <li>Document 21 - Slide 16 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> <li>Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are “listed in the events list.” In the Events List, “eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list.”</li> <li>Document 10 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>Document 5 - p. 3-12, describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>Document 17 - slide 14, states that with the eQuality Balance “[y]ou can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective), Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in</li> </ul>

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	<p>progress or is recently completed, MediaStore can replay instantly.”</p> <ul style="list-style-type: none"> <li>Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
<p>2. The system of claim 1 wherein the data representation of each telephone call comprises</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>Document 5 - p. 3-2 states that “[c]ontacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>Document 14 - p. 37, Witness ContactStore for Communication Manager’s “.xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore’s database of calls, you can view these files directly in a browser if required. Within each .xml file there are: All the details known about this recording. Most of the information, but not all, will be inserted into the calls database. Some of the information is only of interest for diagnostic and maintenance purposes; A link to the audio files; Start and end time in ISO format giving local time and offset from GMT.”</li> </ul>
<p>(i) a list of participants in the telephone call;</p>	<ul style="list-style-type: none"> <li>Document 24 - slide 20 shows a screen image with a listing of parties to a call.</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages</li> </ul>

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	<p>this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</p> <ul style="list-style-type: none"> <li>• Document 5 - p. 3-2, “Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts’ metadata includes . . . agents involved in the interaction.”</li> <li>• Document 14 - p. 38 shows a sample xml file which contains fields for participants in a telephone call.</li> <li>• Document 1 - p. 11, ContactStore customers can store “over a dozen attributes about every interaction – the agent ID, customer ID, type of call, result of the call, value of the sale, etc.”</li> </ul>
(ii) a list of telephony events regarding the call;	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 14 - p. 21, “if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</li> <li>• Document 18 - slide 16 shows a screen image with telephony events listed along the left side.</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer</li> </ul>

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	<p>telephony integration) or similar information.”</p> <ul style="list-style-type: none"> <li>Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording.”</li> <li>Document 5 - p. 3-12, “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents. FTC is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends.”</li> </ul>
(iii) a list containing the time each telephony event occurred; and	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</li> <li>Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording.”</li> <li>Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer</li> </ul>



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(iv) the start and end time of the call.	<p>telephony integration) or similar information.”</p> <ul style="list-style-type: none"> <li>Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>Document 24 - slide 20 shows a screen image with a listing of call start and end times.</li> <li>Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording . . . [including] Start and end time in ISO format giving local time and offset from GMT.”</li> <li>Document 14 - p. 38 shows a sample xml file which contains fields for start and stop times of a telephone call.</li> <li>Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> </ul>
3. The system of claim 1 wherein the data representation of each telephone call comprises, for each segment of the call, the location of the stored audio data of that segment.	<ul style="list-style-type: none"> <li>Document 10 - p. 15 shows that “[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer — under a root directory specified using the Administrator snap-in.”</li> <li>Document 23 - p. 1-5 states that “[t]his service records audio from the network interface and places the recordings in ‘.WAV’ files on the hard disk in real-time. Associated with each .WAV file, there is a corresponding .XML file holding all relevant call details.”</li> <li>Document 14 - p. 21, “Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls.”</li> </ul>
4. The system of claim 1 wherein the first memory and the second memory are the same.	<ul style="list-style-type: none"> <li>Document 14 - p. “Servers 3 of 9,” states that “[t]he (e) Quality Application Server integrates the synchronized voice and data monitoring facilities of the (e) Quality application. All voice and data recording is performed on a single PC server, managed by the (e) Quality Kernel and Sybase SQL Anywhere Server 5.5.”</li> <li>Document 27 - p. 10, shows how “eQuality 6.1 is used significantly as a single server solution.”</li> <li>Document 28 - p. 21 of 69, shows how Eytetel recording system consists of three conceptual subsystems for capturing, storing and exploiting recordings and that these subsystems can be built on a single PC.</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 10 - p. 12, "eQuality ContactStore IP is configured by default as a single PC recording solution."</li> <li>Document 23 - p. 1-2, "In the case of MediaStoreIP, these two paths [audio and other call information] are actually one and the same with both audio and call control information being received from the Ethernet port to which the recorder is connected."</li> <li>Document 32 - p. 9, explains that in the Witness Quality for Communications Manager, "All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array."</li> </ul>
<p>5. The system of claim 1 wherein the processor is comprised of a plurality of physically separated components.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, states that the "eQuality Balance logical servers and components may be distributed across multiple physical servers."</li> <li>Document 28 - p. 21 of 69, shows how Eyretel recording system consists of three conceptual subsystems for capturing, storing and exploiting recordings and that these subsystems can be built for larger systems that may be split across the enterprise.</li> <li>Document 5 - p. 3-13, Fig. 3, shows a plurality of physically separated components.</li> <li>Document 9 - p. 32, "The Connect and BDR Server components reside on a separate server."</li> </ul>
<p>6. The system of claim 3 wherein the location of the stored audio data of each segment comprises a location of a .WAV file containing the audio data.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 37, "The .xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required." Within each .xml file there is "A link to the audio files."</li> <li>Document 10 - p. 4, states "Recordings are saved as .wav files, in a hierarchical directory structure."</li> <li>Document 10 - p. 13, states that the eQuality ContactStore IP contains: "A file path into which call contents and derived files are written as industry standard .wav and .xml files."</li> <li>Document 10 - p. 17, describing .wav files: "These files contain the actual audio of the recording. Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed."</li> <li>Document 29 - p. 2-2, "Recordings are saved as .WAV files on disk, in a hierarchical directory structure."</li> <li>Document 31 - p. 57, "All digital audio files that are created or played using VoiceUnitServices are in the Wave Resource Interchange File Format (RIFF). The standard Wave file structure is used for all encoded media types . . . All Wave files are assumed to be on the connector server machine in the directory specified in: c:\api-user-configuration.properties . . . All Wave filenames are numeric</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	(as specified in CSTA). That is, the filename prefix consists entirely of the digits 0-9, such as 1234.wav or 6.wav. Files that are created by the connector server as a result of a record request are in the format, <timestamp><extension>.wav, indicating the local start time of the recording and the extension being recorded.”
7. The system of claim 6 wherein the data representation of a telephone call further comprises an offset within the .WAV file to the start of the stored audio data.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, “FTC recording is always on and can be initiated either station-side or trunk-side. Station-side FTC recording is agent focused. trunk-side FTC recording can be either agent or customer focused, depending upon the registry setting option you select. In an agent-focused FTC environment, the agent who initially receives the call is recorded throughout the duration of the contact. In a customer-focused FTC environment, the customer is recorded throughout the duration of the contact, even if the customer is placed on hold while the call center agent consults with another agent.”</li> <li>Document 10 - p. 17, describing .wav files: “These files contain the actual audio of the recording. Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed.”</li> </ul>
8. The system of claim 1 wherein the data regarding telephony events is received from a plurality of sources connected to a telephone switching environment.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-3, shows how the BDR server gets telephony events from at least two sources: CTI events from the CTI server and CRM events from eQuality Connect.</li> <li>Document 5 - p. 3-5 states that “[t]ypically, the Call Manager tracks telephony-based calls processed through a switch/ACD; however, other sources that generate customer interactions may also be tracked. These may include Web chats, email sessions, or Customer Relationship Management (CRM) desktop applications integrated via eQuality Connect.”</li> <li>Document 5 - p. 2-3, “The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server.”</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “The details stored allow searching by: ... User defined fields supplied by external controllers.”</li> <li>Document 42 - p. 4: “By leveraging the network sniffing capabilities of the Spanlink VoIP Monitor Server combined with CTI events received from Cisco ICM, the Witness eQuality Balance 5.x application will be able to provide unique synchronized voice and data sessions for replay and evaluation purposes.”</li> </ul>
9. The system of claim 1 further comprising display software that uses	<ul style="list-style-type: none"> <li>Document 10 - p. 7, states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of</li> </ul>

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<p>said data representation to display a graphical representation of said telephone call.</p>	<p>each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest.”</p> <ul style="list-style-type: none"> <li>• Document 30 - p. 125, describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>• Document 1 - p. 16, showing the “energy envelope,” a graphical representation of the audio and screen activity in the call.</li> <li>• Document 21 - p. 16, shows customer interaction “[e]vents listed in the ‘Events List’.” It also shows screen shot of the “Events List.”</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> </ul>
<p>10. The system of claim 2 further comprising display software that uses a data representation of a telephone call to display a graphical representation of said telephone call.</p>	<ul style="list-style-type: none"> <li>• Document 10 - p. 7 states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest.”</li> <li>• Document 30 - p. 125 describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>• Document 1 - p. 16, showing the “energy envelope,” a graphical representation of the audio and screen activity in the call.</li> <li>• Document 21 - p. 16, shows customer interaction “[e]vents listed in the ‘Events List’.” It also shows screen shot of the “Events List.”</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> </ul>
<p>11. The system of claim 10 wherein the graphical representation comprises a</p>	<ul style="list-style-type: none"> <li>• Document 10 - p. 7, states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
representation of each segment of the call.	<p>each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest . . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name.”</p> <ul style="list-style-type: none"> <li>• Document 30 - p. 125, describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 15 - p. 21, “if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 17 - p. 13, “There is also a position indicator bar next to the toolbar that shows you what point you have reached in the recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that you have reached in the recording, this bar allows you to move to different places in the recording by skipping large amounts of time.”</li> </ul>
12. The system of claim 10 wherein the graphical representation comprises a representation of the length of time of each segment of the call.	<ul style="list-style-type: none"> <li>• Document 10 - p. 7 states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest . . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name.”</li> <li>• Document 30 - p. 125, describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>• Document 17 - p. 13, shows a graphical representation of a call and states that “[t]here is also a position indicator bar next to the toolbar that shows you what point you have reached in the recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that you have reached in the recording, this bar also allows you to move to different places in the recording by skipping large amounts of time.”</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>Witness ContactStore for Communication Manager.</p> <ul style="list-style-type: none"> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> </ul>
<p>14. A method for recording information regarding telephone calls with three or more participants and comprising one or more telephone call segments, comprising:</p>	
<p>(a) receiving audio data regarding one or more telephone call segments;</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-3, The BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>Document 5 - p. 3-3, Fig. 1, shows the eRecorder Server and the eRecorder Disk.</li> <li>Document 9 - p. 11 shows the logical relationship of the ContactStore Plus components where eQuality ContactStore is logically connected to the PSTN to receive audio data.</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
(b) receiving data regarding telephony events associated with said telephone call segments;	<p>recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</p> <ul style="list-style-type: none"> <li>Document 5 - p. 2-3, "The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server."</li> <li>Document 5 - p. 2-3, The BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 11 shows the logical relationship of the ContactStore Plus components where eQuality ContactStore is logically connected to Unify to receive CTI information.</li> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> </ul>
(c) storing the received audio data regarding telephone call segments;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . The content is specifically the voice, screen data, or both captured during an interaction."</li> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: "FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>consultation between two or more agents.”</p> <ul style="list-style-type: none"> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>• Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>• Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
(d) storing the received data regarding telephone events associated with said telephone call segments;	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 18 - slide 16 shows a screen image with telephony events listed along the left side.</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>• Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording.”</li> <li>• Document 5 - p. 2-4, “eQuality database is a centralized database that stores eQuality</li> </ul>

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	<p>configuration, contact information, and agent evaluations.”</p> <ul style="list-style-type: none"> <li>• Document 9 - p. 9, “Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts.”</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>• Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>• Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>• Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
(e) identifying telephone call segments that relate to the same telephone call; and	<ul style="list-style-type: none"> <li>• Document 14 - p. 21, “if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 20 - p. 2, “Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database.”</li> <li>• Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</p> <ul style="list-style-type: none"> <li>• Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations.”</li> <li>• Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 2-3, “Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations.”</li> <li>• Document 9 - p. 9, “Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts.”</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>• Document 9 - p. 12, “Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance’s BDR server by sending CTI events, session event attributes, and contact event attributes.”</li> </ul>
<p>(f) constructing data representations of lifetimes of telephone calls, wherein said data representations are constructed using data regarding telephony events associated with telephone call segments.</p>	<ul style="list-style-type: none"> <li>• Document 21 - Slide 16 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>• Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> <li>• Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are “listed in the events list.” In the Events List, “eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list.”</li> <li>• Document 10 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>• Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording:</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>“FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</p> <ul style="list-style-type: none"> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>• Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>• Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
<p>15. The method of claim 14 wherein each data representation of a telephone call comprises:</p>	<ul style="list-style-type: none"> <li>• Document 10 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 5 - p. 3-2 states that “[c]ontacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>• Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 14 - p. 37, Witness ContactStore for Communication Manager's ".xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required. Within each .xml file there are: All the details known about this recording. Most of the information, but not all, will be inserted into the calls database. Some of the information is only of interest for diagnostic and maintenance purposes, A link to the audio files, Start and end time in ISO format giving local time and offset from GMT."</li> </ul>
(i) a list of participants in the telephone call;	<ul style="list-style-type: none"> <li>Document 24 - slide 20 shows a screen image with a listing of parties to a call.</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> <li>Document 5 - p. 3-2, "Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts' metadata includes . . . agents involved in the interaction."</li> <li>Document 14 - p. 38 shows a sample xml file which contains fields for participants in a telephone call.</li> <li>Document 1 - p. 11, ContactStore customers can store "over a dozen attributes about every interaction -- the agent ID, customer ID, type of call, result of the call, value of the sale, etc."</li> </ul>
(ii) a list of telephony events regarding the call;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content . . . The contacts' metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction."</li> <li>Document 14 - p. 21, "if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administrators and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> <li>Document 18 - slide 16 shows a screen image with telephony events listed along the left side.</li> <li>Document 19 - p. 6, "Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information."</li> <li>Document 10 - p. 15, "Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer -- under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording."</li> <li>Document 14 - p. 37, "Within each .xml file there are: All the details known about this recording."</li> <li>Document 5 - p. 3-12, "FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents. FTC is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> </ul>
(iii) a list containing the time each telephony event occurred; and	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content . . . . The contacts' metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction."</li> <li>Document 6 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administrators and manages</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</p> <ul style="list-style-type: none"> <li>• Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording.”</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> </ul>
(iv) the start and end time of the call.	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 24 - slide 20 shows a screen image with a listing of call start and end times.</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording . . . [including] Start and end time in ISO format giving local time and offset from GMT.”</li> <li>• Document 14 - p. 38 shows a sample xml file which contains fields for start and stop times of a telephone call.</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> </ul>
16. The method of claim 14 wherein each data representation of a telephone call comprises, for each segment of the call, a location of stored audio data if that segment.	<ul style="list-style-type: none"> <li>• Document 10 - p. 15 shows that “[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in.”</li> <li>• Document 23 - p. 1-5 states that “[t]his service records audio from the network interface and places the recordings in “.WAV” files on the hard disk in real-time. Associated with each .WAV file,</li> </ul>

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	<p>there is a corresponding .XML file holding all relevant call details.”</p> <ul style="list-style-type: none"> <li>Document 14 - p. 21, “Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls.”</li> </ul>
<p>17. The method of claim 14 wherein the received audio data and the data regarding telephony events are stored in the same memory.</p>	<ul style="list-style-type: none"> <li>Document 12 - p. “Servers 3 of 9”, states that “[t]he (e) Quality Application Server integrates the synchronized voice and data monitoring facilities of the (e) Quality application. All voice and data recording is performed on a single PC server, managed by the (e) Quality Kernel and Sybase SQL Anywhere Server 5.5.”</li> <li>Document 27 - p. 10 shows how “eQuality 6.1 is used significantly as a single server solution.”</li> <li>Document 28 - p. 21 of 69 shows how Eyretel recording system consists of three conceptual subsystems for capturing, storing and exploiting recordings and that these subsystems can be built on a single PC.</li> <li>Document 10 - p. 12, “eQuality ContactStore IP is configured by default as a single PC recording solution.”</li> <li>Document 23 - p. 1-2, “In the case of MediaStoreIP, these two paths [audio and other call information] are actually one and the same with both audio and call control information being received from the Ethernet port to which the recorder is connected.”</li> </ul>
<p>18. The method of claim 14 wherein each data representation is constructed by a plurality of physically separated processors.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, states that the “eQuality Balance logical servers and components may be distributed across multiple physical servers.”</li> <li>Document 28 - p. 21 of 69 shows how Eyretel recording system consists of three conceptual subsystems for capturing, storing and exploiting recordings and that these subsystems can be built for larger systems that may be split across the enterprise.</li> <li>Document 5 - p. 3-13, Fig. 3, shows a plurality of physically separated components.</li> <li>Document 9 - p. 32, “The Connect and BDR Server components reside on a separate server.”</li> </ul>
<p>19. The method of claim 16 wherein the location of the stored audio data of each segment comprises a location of a .WAV file containing the audio data.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 37, “The .xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore’s database of calls, you can view these files directly in a browser if required.” Within each .xml file there is “A link to the audio files.”</li> <li>Document 10 - p. 4, states “[r]ecordings are saved as .wav files, in a hierarchical directory structure.”</li> </ul>



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20. The method of claim 19 wherein a data representation further comprises an offset within the .WAV file to start of the stored audio data.	<ul style="list-style-type: none"> <li>Document 10 - p. 13, states that the eQuality ContactStore IP contains: "A file path into which call contents and derived files are written as industry standard .wav and .xml files."</li> <li>Document 10 - p. 17, describing .wav files: "These files contain the actual audio of the recording. Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed."</li> <li>Document 29 - p. 2-2, "Recordings are saved as .WAV files on disk, in a hierarchical directory structure."</li> <li>Document 31 - p. 57, "All digital audio files that are created or played using VoiceUnitServices are in the Wave Resource Interchange File Format (RIFF). The standard Wave file structure is used for all encoded media types . . . All Wave files are assumed to be on the connector server machine in the directory specified in: omapi-user-configuration.properties . . . All Wave filenames are numeric (as specified in CSTA). That is, the filename prefix consists entirely of the digits 0-9, such as 1234.wav or 6.wav. Files that are created by the connector server as a result of a record request are in the format, &lt;timestamp&gt;&lt;extension&gt;.wav, indicating the local start time of the recording and the extension being recorded."</li> </ul>
	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, "FTC recording is always on and can be initiated either station-side or trunk-side. Station-side FTC recording is agent focused. trunk-side FTC recording can be either agent or customer focused, depending upon the registry setting option you select. In an agent-focused FTC environment, the agent who initially receives the call is recorded throughout the duration of the contact. In a customer-focused FTC environment, the customer is recorded throughout the duration of the contact, even if the customer is placed on hold while the call center agent consults with another agent."</li> <li>Document 10 - p. 17, describing .wav files: "These files contain the actual audio of the recording. Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed."</li> </ul>
21. The method of claim 14 wherein data regarding telephony events is received from a plurality of sources connected to a telephone switching environment.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-3, shows how the BDR server gets telephony events from at least two sources: CTI events from the CTI server and CRM events from eQuality Connect.</li> <li>Document 5 - p. 3-5 states that "[t]ypically, the Call Manager tracks telephony-based calls processed through a switch/ACD; however, other sources that generate customer interactions may also be tracked. These may include Web chats, email sessions, or Customer Relationship Management (CRM) desktop applications integrated via eQuality Connect."</li> <li>Document 5 - p. 2-3, "The CTI Adapter translates CTI event information from vendor specific CTI</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>servers and switches, and delivers that event information to the BDR server.”</p> <ul style="list-style-type: none"> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “The details stored allow searching by: ...User defined fields supplied by external controllers.”</li> </ul>
<p>22. The method of claim 14 further comprising the step of using a data representation of a telephone call to display a graphical representation of the telephone call.</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 7 states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest.”</li> <li>Document 30 p. 125 describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>Document 1 - p. 16, showing the “energy envelope,” a graphical representation of the audio and screen activity in the call.</li> <li>Document 21 - p. 16, shows customer interaction “[e]vents listed in the ‘Events List’.” It also shows screen shot of the “Events List.”</li> <li>Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> </ul>
<p>23. The method of claim 15 further comprising the step of using said data representation of a telephone call to display a graphical representation of the telephone call.</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 7 states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest.”</li> <li>Document 30 - p. 125 describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>Document 1 - p. 16, showing the “energy envelope,” a graphical representation of the audio and screen activity in the call.</li> <li>Document 21 - p. 16, shows customer interaction “[e]vents listed in the ‘Events List’.” It also shows screen shot of the “Events List.”</li> <li>Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call,</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</p> <ul style="list-style-type: none"> <li>Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> </ul>
<p>24. The method of claim 23 wherein the graphical representation comprises a representation of each segment of the call.</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 7, states that "[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest. . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name."</li> <li>Document 30 - p. 125, describes eQuality Vision as a "graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts."</li> <li>Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>Document 14 - p. 21, "if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> <li>Document 17 - p. 13, "There is also a position indicator bar next to the toolbar that shows you what point you have reached in the recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that you have reached in the recording, this bar allows you to move to different places in the recording by skipping large amounts of time."</li> </ul>
<p>25. The method of claim 23 wherein the graphical representation comprises a representation of the length of time of each segment of the call.</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 7 states that "[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest. . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name."</li> <li>Document 30 - p. 125, describes eQuality Vision as a "graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts."</li> <li>Document 17 - p. 13, shows a graphical representation of a call and states that "There is also a position indicator bar next to the toolbar that shows you what point you have reached in the</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that you have reached in the recording, this bar also allows you to move to different places in the recording by skipping large amounts of time.”</p> <ul style="list-style-type: none"> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</li> </ul>
<p>40. A method for recording information regarding telephone calls comprising one or more telephone call segments, wherein said calls comprise calls wherein at least one participant participates in a plurality of segments, comprising:</p>	
<p>(a) receiving audio data regarding one or more telephone call segments and data regarding telephone events associated with said telephone call segments;</p>	<ul style="list-style-type: none"> <li>• Document 5 - p. 2-3, The BDR server “monitors and tracks contact center activity.”</li> <li>• Document 9 - p. 9, “eWare is the component used to record voice data, as well manage the recording system and its database.”</li> <li>• Document 5 - p. 2-3, “The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later.”</li> <li>• Document 5 - p. 3-3, Fig. 1, shows the eRecorder Server and the eRecorder Disk.</li> <li>• Document 5 - p. 2-3, “The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server.”</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> </ul>
(b) storing the received audio data regarding telephone call segments;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . The content is specifically the voice, screen data, or both captured during an interaction."</li> <li>Document 9 - p. 9, "eWare: eWare is the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 5 - p. 2-3, "The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> <li>Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: "FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents."</li> <li>Document 17 - slide 14: "You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>(recording activity from CSR's perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold."</p> <ul style="list-style-type: none"> <li>Document 14 - p. 36: "Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations."</li> <li>Document 7 - p. 2: "MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> </ul>
(c) storing the received data regarding telephony events associated with said telephone call segments;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content via the eRecorder in data-streams which are made available for later retrieval . . . Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts' metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction."</li> <li>Document 18 - slide 16 shows a screen image with telephony events listed along the left side.</li> <li>Document 19 - p. 6, "Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information."</li> <li>Document 10 - p. 15, "Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer -- under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording."</li> <li>Document 14 - p. 37, "Within each .xml file there are: All the details known about this recording."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the</li> </ul>

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	<p>recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval.”</p> <ul style="list-style-type: none"> <li>• Document 26 - p. 20: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval.”</li> <li>• Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</li> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>• Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>• Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
(d) identifying telephone call segments that relate to one telephone call;	<ul style="list-style-type: none"> <li>• Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations.”</li> <li>• Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 2-3, “Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations.”</li> <li>• Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>storing this information in the database as contacts.”</p> <ul style="list-style-type: none"> <li>Document 9 - p. 9, “Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts.”</li> <li>Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>Document 9 - p. 12, “Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance’s BDR server by sending CTI events, session event attributes, and contact event attributes.”</li> </ul>
(e) identifying multiple call segments that have the same participant; and	<ul style="list-style-type: none"> <li>Document 21 - Slide 16/21 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>Document 14 - p. 21, “if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> </ul>
(f) constructing data representations of lifetimes of telephone calls, wherein each data representation of a telephone call is constructed using data regarding telephony events associated with the telephone call segments of the telephone call.	<ul style="list-style-type: none"> <li>Document 21 - Slide 16 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> <li>Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are “listed in the events list.” In the Events List, “eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list.”</li> <li>Document 10 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>Document 5 - p. 3-12 describes how eQuality Balance supports Follow-the-Call (FTC) recording: “FTC recording allows a contact to continue being recorded when more than one call center agent</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents.”</p> <ul style="list-style-type: none"> <li>• Document 17 - slide 14: “You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR’s perspective, Consultations, in which the CSRs return to an original call after placing a customer on hold.”</li> <li>• Document 14 - p. 36: “Each segment of the call is recorded and stored separately . . . Quality for Communication Manager combines the various segments of a call into the appropriate combinations.”</li> <li>• Document 7 - p. 2: “MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly . . . MediaStore gives you quick, easy access to recorded customer contacts. Whether recording is in progress or is recently completed, MediaStore can replay instantly.”</li> <li>• Document 25 - p. 8: “Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay.”</li> </ul>
<p>41. The method of claim 40 wherein a data representation of a telephone call comprises:</p>	<ul style="list-style-type: none"> <li>• Document 10 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 5 - p. 3-2 states that “[c]ontacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> <li>• Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 14 - p. 37, Witness ContactStore for Communication Manager's ".xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required. Within each .xml file there are: All the details known about this recording. Most of the information, but not all, will be inserted into the calls database. Some of the information is only of interest for diagnostic and maintenance purposes; A link to the audio files; Start and end time in ISO format giving local time and offset from GMT."</li> </ul>
(i) a list of participants in the telephone call;	<ul style="list-style-type: none"> <li>Document 24 - slide 20 shows a screen image with a listing of parties to a call.</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> <li>Document 5 - p. 3-2, "Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts' metadata includes . . . agents involved in the interaction."</li> <li>Document 14 - p. 38 shows a sample xml file which contains fields for participants in a telephone call.</li> <li>Document 1 - p. 11, ContactStore customers can store "over a dozen attributes about every interaction -- the agent ID, customer ID, type of call, result of the call, value of the sale, etc."</li> </ul>
(ii) a list of telephony events regarding the call;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content . . . The contacts' metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction."</li> <li>Document 14 - p. 21, "if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> </ul>



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	<ul style="list-style-type: none"> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administrators and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> <li>Document 18 - slide 16 shows a screen image with telephony events listed along the left side.</li> <li>Document 19 - p. 6, "Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information."</li> <li>Document 10 - p. 15, "Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer -- under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording."</li> <li>Document 14 - p. 37, "Within each .xml file there are: All the details known about this recording."</li> <li>Document 5 - p. 3-12, "FTC recording allows a contact to continue being recorded when more than one call center agent is involved in some aspect of the call, whether it be a conference call, a call transfer, or a consultation between two or more agents. FTC is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> </ul>
(iii) a list containing the time each telephony event occurred; and	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "eQuality Balance records contacts and content . . . The contacts' metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction."</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administrators and manages</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</p> <ul style="list-style-type: none"> <li>• Document 10 - p. 15, “Each call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in . . . These files contain details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording.”</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> </ul>
(iv) the start and end time of the call.	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-2, “eQuality Balance records contacts and content . . . The contacts’ metadata includes the start and stop times of the customer interaction, related call events and their attributes, agents involved in the interaction, and information about what voice and or screen data was captured during the interaction.”</li> <li>• Document 24 - slide 20 shows a screen image with a listing of call start and end times.</li> <li>• Document 14 - p. 37, “Within each .xml file there are: All the details known about this recording . . . [including] Start and end time in ISO format giving local time and offset from GMT.”</li> <li>• Document 14 - p. 38 shows a sample xml file which contains fields for start and stop times of a telephone call.</li> <li>• Document 19 - p. 6, “Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information.”</li> </ul>
42. The method of claim 40 wherein a data representation of a telephone call comprises, for each segment of the call, the location of the stored audio data of that segment.	<ul style="list-style-type: none"> <li>• Document 10 - p. 15 shows that “[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in.”</li> <li>• Document 23 - p. 1-5 states that “[t]his service records audio from the network interface and places the recordings in “.WAV” files on the hard disk in real-time. Associated with each .WAV file,</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>there is a corresponding .XML file holding all relevant call details.”</p> <ul style="list-style-type: none"> <li>Document 14 - p. 21, “Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls.”</li> </ul>
<p>43. The method of claim 40 wherein the received audio data and the data regarding telephony events is stored in the same memory.</p>	<ul style="list-style-type: none"> <li>Document 12 - “Servers 3 of 9”, states that “[t]he (e) Quality Application Server integrates the synchronized voice and data monitoring facilities of the (e) Quality application. All voice and data recording is performed on a single PC server, managed by the (e) Quality Kernel and Sybase SQL Anywhere Server 5.5.”</li> <li>Document 27 - p. 10 shows how “eQuality 6.1 is used significantly as a single server solution.”</li> <li>Document 28 - p. 21 of 69 shows how Eyretel recording system consists of three conceptual subsystems for capturing, storing and exploiting recordings and that these subsystems can be built on a single PC.</li> <li>Document 10 - p. 12, “eQuality ContactStore IP is configured by default as a single PC recording solution.”</li> <li>Document 23 - p. 1-2, “In the case of MediaStoreIP, these two paths [audio and other call information] are actually one and the same with both audio and call control information being received from the Ethernet port to which the recorder is connected.”</li> </ul>
<p>44. The method of claim 40 wherein a data representation of a telephone call is constructed by a plurality of physically separated processors.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, states that the “eQuality Balance logical servers and components may be distributed across multiple physical servers.”</li> <li>Document 28 - p. 21 of 69, shows how Eyretel recording system consists of three conceptual subsystems for capturing, storing and exploiting recordings and that these subsystems can be built for larger systems that may be split across the enterprise.</li> <li>Document 5 - p. 3-13, Fig. 3, shows a plurality of physically separated components.</li> <li>Document 9 - p. 32, “The Connect and BDR Server components reside on a separate server.”</li> </ul>
<p>45. The method of claim 42 wherein a location of stored audio data of each segment comprises the location of a .WAV file containing the audio data.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 37, “The .xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore’s database of calls, you can view these files directly in a browser if required.” Within each .xml file there is “A link to the audio files.”</li> <li>Document 10 - p. 4, states “Recordings are saved as .wav files, in a hierarchical directory structure.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 10 - p. 13, states that the eQuality ContactStore IP contains: "A file path into which call contents and derived files are written as industry standard .wav and .xml files."</li> <li>Document 10 - p. 17, describing .wav files: "These files contain the actual audio of the recording. Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed."</li> <li>Document 29 - p. 2-2, "Recordings are saved as .WAV files on disk, in a hierarchical directory structure."</li> <li>Document 31 - p. 57, "All digital audio files that are created or played using VoiceUnitServices are in the Wave Resource Interchange File Format (RIFF). The standard Wave file structure is used for all encoded media types . . . All Wave files are assumed to be on the connector server machine in the directory specified in: cnapi-user-configuration.properties . . . All Wave filenames are numeric (as specified in CSTA). That is, the filename prefix consists entirely of the digits 0-9, such as 1234.wav or 6.wav. Files that are created by the connector server as a result of a record request are in the format, &lt;timestamp&gt;&lt;extension&gt;.wav, indicating the local start time of the recording and the extension being recorded."</li> </ul>
46. The method of claim 45 wherein a data representation of a telephone call further comprises an offset within the .WAV file to the start of the stored audio data.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, "FTC recording is always on and can be initiated either station-side or trunk-side. Station-side FTC recording is agent focused. trunk-side FTC recording can be either agent or customer focused, depending upon the registry setting option you select. In an agent-focused FTC environment, the agent who initially receives the call is recorded throughout the duration of the contact. In a customer-focused FTC environment, the customer is recorded throughout the duration of the contact, even if the customer is placed on hold while the call center agent consults with another agent."</li> <li>Document 10 - p. 17, describing .wav files: "These files contain the actual audio of the recording. Each WAV file contains within its header block, a precise time-stamp allowing it to be mixed with its other half to produce an accurately synchronized composite file if needed."</li> </ul>
47. The method of claim 40 wherein data regarding telephony events is received from a plurality of sources connected to a telephone switching environment.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-3 shows how the BDR server get telephony events from at least two sources: CTI events from CTI server and CRM events from eQuality Connect.</li> <li>Document 5 - p. 3-5 states that "[t]ypically, the Call Manager tracks telephony-based calls processed through a switch/ACD; however, other sources that generate customer interactions may also be tracked. These may include Web chats, email sessions, or Customer Relationship Management (CRM) desktop applications integrated via eQuality Connect."</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>48. The method of claim 40 further comprising the step of using a data representation of a telephone call to display a graphical representation of said telephone call.</p>	<p>Communications Manager: "The details stored allow searching by: . . . User defined fields supplied by external controllers."</p> <ul style="list-style-type: none"> <li>Document 10 - p. 7 states that "[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest."</li> <li>Document 30 - p. 125 describes eQuality Vision as a "graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts."</li> <li>Document 1 - p. 16, showing the "energy envelope," a graphical representation of the audio and screen activity in the call.</li> <li>Document 21 - p. 16, shows customer interaction "[e]vents listed in the 'Events List'." It also shows screen shot of the "Events List."</li> <li>Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> </ul>
<p>49. The method of claim 41 further comprising the step of using a data representation of a telephone call to display a graphical representation of said telephone call.</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 7 states that "[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest."</li> <li>Document 30 - p. 125 describes eQuality Vision as a "graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts."</li> <li>Document 1 - p. 16, showing the "energy envelope," a graphical representation of the audio and screen activity in the call.</li> <li>Document 21 - p. 16, shows customer interaction "[e]vents listed in the 'Events List'." It also shows screen shot of the "Events List."</li> <li>Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>50. The method of claim 49 wherein the graphical representation comprises a representation of each segment of the call.</p>	<ul style="list-style-type: none"> <li>Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> <li>Document 10 - p. 7, states that "[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest . . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name."</li> <li>Document 30 - p. 125, describes eQuality Vision as a "graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts."</li> <li>Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>Document 14 - p. 21, "if you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> <li>Document 17 - p. 13, "There is also a position indicator bar next to the toolbar that shows you what point you have reached in the recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that you have reached in the recording, this bar allows you to move to different places in the recording by skipping large amounts of time."</li> </ul>
<p>51. The method of claim 49 wherein the graphical representation comprises a representation of the length of time of each segment of the call.</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 7 states that "The user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest . . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name."</li> <li>Document 30 - p. 125, describes eQuality Vision as a "graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts."</li> <li>Document 17 - p. 13, shows a graphical representation of a call and states that "There is also a position indicator bar next to the toolbar that shows you what point you have reached in the recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that</li> </ul>

NICE v. Witness 42234-0006

US 6,728,345

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>you have reached in the recording, this bar also allows you to move to different places in the recording by skipping large amounts of time.”</p> <ul style="list-style-type: none"> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: “In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers.”</li> </ul>

NICE v. Witness 42234-0006

US 6,775,372

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<b>Patent No.:</b>	US 6,775,372
<b>Accused Products:</b>	Impact 360, Witness ContactStore, Witness Quality for Communication Manager, Witness ContactStore for Communication Manager
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 4 (NSDE 000261-000476)</li> <li>3. Document 5 (NSDE 000477-000666)</li> <li>4. Document 7 (NSDE 000731-000732)</li> <li>5. Document 8 (NSDE 000733-000846)</li> <li>6. Document 9 (NSDE 000847-000966)</li> <li>7. Document 10 (NSDE 000967-001138)</li> <li>8. Document 19 (NSDE 001911-001964)</li> <li>9. Document 25 (NSDE 002053-002214)</li> <li>10. Document 32 (NSDE 002850-002901)</li> <li>11. Document 33 (NSDE 002902-002935)</li> <li>12. Document 34 (NSDE 002936-002940)</li> <li>13. Document 35 (NSDE 002941-003103)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
1. A multi-stage data logging system comprising:	
a) a telecommunications ("telecom") stage receiving input from a plurality of communication channels;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he telephony interface cards are interconnected to the record card using the high speed SCSA bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1/5T1 pipes) when connected trunk side."</li> </ul>

31382284\_V39

Page 1 of 13

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-15 shows the types of voice boards supported by eQuality ContactStore.</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 32 - p. 9 provides "Dialogic Voice Cards - In TDM deployments, voice connectivity is handled by one or more dialogic boards. These are unnecessary in IP deployments which use the Contact Store for Communication Manager recorder for voice handling. In most environments, digital cards are employed to provide 24 or 30 digital voice channels connecting to a corresponding T1 or E1 circuit, respectively, within the ACD/PBX. Analog card can be deployed, using the D/DIA160 card for 16 analog channels per card. In both cases, switch administrators need only configure the lines on these cards with permission sets consistent with contact center supervisors, permitting facility-wide service observe abilities."</li> </ul>
<p>b) a recorder stage having one or more recorders, at least one recorder logging data associated with information transmitted on at least one of said plurality of communication channels;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 8 provides that "[e]ach ContactStore can support up to 10,000 hours of online recording within the chassis (please check with Adtech for latest default storage capacity shipments). Alternatively external RAID 5 resilient online storage can provide up to 126000 channel hours of online storage per ContactStore. The ContactStore writes to the disk on a first-in first-out basis and will automatically overwrite the oldest data once the disk has become full."</li> <li>• Document 5 - p. 2-3, provides that the BDR server "Uses the eRecorder to record agent voice or screen data relating to a contact."</li> <li>• Document 5 - p. 2-3 describes how the "eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later."</li> <li>• Document 10 - p. 3 describes the functionality of the eQuality ContactStore IP recorder. Furthermore, "[r]ecordings can be stored on any NTFS file system disk partition. Witness recommends RAID arrays for secure storage."</li> <li>• Document 10 - p. 13 "eQuality ContactStore IP services which record, compress and process VoIP calls."</li> <li>• Document 32 - p. 10 provides that "[t]he CSCM recorder is a separate Linux-based Server that provides IP-based voice connectivity with an Avaya Communication Manager ACD/PBX. This server provides the equivalent functionality to the Witness Quality for Communication Manager Server that the voice cards provide in TDM deployments, using IP-based softphone technology instead of digital or analog lines connected to the switch."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
c) a distribution stage providing access to data logged in the recorder stage;	<ul style="list-style-type: none"> <li>Document 10 - p. 4 "The recorder uses a single disk buffer path on which to retain the most recent recordings, deleting older calls as needed to free space for new ones ... archival directly to a DVD-RAM drive is supported."</li> <li>Document 10 - p. 13 shows "[a] MSDE or SQL Server 2000 database into which details of all calls recorded are inserted."</li> <li>Document 5 - p. 3-21, Fig. 7, shows the use of NAS/SAN and the Database Server.</li> <li>Document 5 - p. 4-2 shows the eQuality Recording Server Environment and shows the distribution stage: Web server, Database Server, and Tape or SAN.</li> <li>Document 5 - p. G-12 describes the use of the Web Server: "The eQuality Balance Web server runs login functions and the interface for eQuality Balance applications (Interactions, Evaluation, and Reporting)."</li> <li>Document 25 - p. 19 "Use the Archive utility to move recorded monitoring sessions from the Witness Quality for Communication Manager server to a separate storage area. This area can either be a fixed disk storage or a network drive."</li> </ul>
d) a first interface linking the telecom and the recorder stages and a second interface linking the recorder and the distribution stages;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side."</li> <li>Document 5 - p. 3-5 shows the voice boards interfacing with the eRecorder disk and the eRecorder interfacing with the Database.</li> <li>Document 5 - p. 3-15 shows the types of voice boards supported by eQuality ContactStore.</li> <li>Document 5 - p. 3-16, Fig. 4, shows a voice card interfacing with the eRecorder and the eRecorder interfacing with the BDR Server and the Oracle Database.</li> <li>Document 32 - p. 9 provides "Dialogic Voice Cards - In TDM deployments, voice connectivity is handled by one or more dialogic boards. These are unnecessary in IP deployments which use the Contact Store for Communication Manager recorder for voice handling. In most environments, digital cards are employed to provide 24 or 30 digital voice channels connecting to a corresponding T1 or E1 circuit, respectively, within the ACD/PBX. Analog card can be deployed, using the D/DIA160 card for 16 analog channels per card. In both cases, switch administrators need only configure the lines on these cards with permission sets consistent with contact center supervisors,</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
wherein at least two stages of the system are physically separable and in operation can be located wide distances apart.	<p>permitting facility-wide service observe abilities.”</p> <ul style="list-style-type: none"> <li>Document 25 - p. 19 “Use the Archive utility to move recorded monitoring sessions from the Witness Quality for Communication Manager server to a separate storage area. This area can either be a fixed disk storage or a network drive.”</li> <li>Document 33 - p. 30 shows the eQuality system architecture, describing that “[t]he following diagram represents both the physical architecture (machines, networks, and processes) as well as the logical architecture (functions and components).”</li> <li>Document 34 - p. 4 provides that “[t]he ContactStore for IP recorder has a modular architecture such that all the components of a solution can be housed on a single server, but broken out into modular components to increase the scalability of the solution when required. This can include deploying multiple recorders at physically different locations and managing the system as a single entity to provide a single view of all customer interactions, wherever required, with minimal administrative overhead.”</li> </ul>
6. The data logging system of claim 1 wherein the telecom stage provides time stamping of the received input.	<ul style="list-style-type: none"> <li>Document 32 - p. 10 provides that “[t]he CSCM recorder is a separate Linux-based Server that provides IP-based voice connectivity with an Avaya Communication Manager ACD/PBX. This server provides the equivalent functionality to the Witness Quality for Communication Manager Server that the voice cards provide in TDM deployments, using IP-based softphone technology instead of digital or analog lines connected to the switch.”</li> </ul>
8. The data logging system of claim 1 wherein the recorder stage comprises a controller for directing and monitoring recorder stage operations, and each recorder comprises:	
b1) a first interface receiving data from the telecom stage;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “[t]he telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1/5T1 pipes) when connected trunk side.”</li> <li>Document 5 - p. 3-15 shows the types of Voice boards supported by eQuality ContactStore.</li> <li>Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> </ul>

NICE v. Witness 42234-0006

US 6,775,372

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 32 - p. 9 provides "Dialogic Voice Cards - In TDM deployments, voice connectivity is handled by one or more dialogic boards. These are unnecessary in IP deployments which use the Contact Store for Communication Manager recorder for voice handling. In most environments, digital cards are employed to provide 24 or 30 digital voice channels connecting to a corresponding T1 or E1 circuit, respectively, within the ACD/PBX. Analog card can be deployed, using the D/DIA160 card for 16 analog channels per card. In both cases, switch administrators need only configure the lines on these cards with permission sets consistent with contact center supervisors, permitting facility-wide service observe abilities." These cards are ISA or PCI based.</li> <li>Document 32 - p. 10 provides that "[t]he CSCM recorder is a separate Linux-based Server that provides IP-based voice connectivity with an Avaya Communication Manager ACD/PBX. This server provides the equivalent functionality to the Witness Quality for Communication Manager Server that the voice cards provide in TDM deployments, using IP-based softphone technology instead of digital or analog lines connected to the switch."</li> </ul>
b2) a buffer for transitional data storage;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1/ST1 pipes) when connected trunk side."</li> <li>Document 5 - p. 3-15 shows the types of Voice boards supported by eQuality ContactStore.</li> <li>Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>Document 32 - p. 9 provides "Dialogic Voice Cards - In TDM deployments, voice connectivity is handled by one or more dialogic boards. These are unnecessary in IP deployments which use the Contact Store for Communication Manager recorder for voice handling. In most environments, digital cards are employed to provide 24 or 30 digital voice channels connecting to a corresponding T1 or E1 circuit, respectively, within the ACD/PBX. Analog card can be deployed, using the D/DIA160 card for 16 analog channels per card. In both cases, switch administrators need only configure the lines on these cards with permission sets consistent with contact center supervisors, permitting facility-wide service observe abilities."</li> </ul>
b3) a random access storage device for data storage; and	<ul style="list-style-type: none"> <li>Document 1 - p. 8 provides that "[e]ach ContactStore can support up to 10,000 hours of online recording within the chassis (please check with Adtech for latest default storage capacity shipments). Alternatively external RAID 5 resilient online storage can provide up to 126000 channel hours of online storage per ContactStore. The ContactStore writes to the disk on a first-in</li> </ul>

31382284\_V39

Page 5 of 13

NICE v. Witness 42234-0006

US 6,775,372

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>first-out basis and will automatically overwrite the oldest data once the disk has become full.”</p> <ul style="list-style-type: none"> <li>Document 5 - p. 2-3 provides that the eRecorder server “[p]rovides additional near-line storage options, such as high-volume tape archives, disk storage, and others.”</li> <li>Document 8 - p. D-1, “In a single node environment, all the OTG software will reside on one eRecorder, which will also have a HVS device attached to it. In a multinode environment, one eRecorder (typically the Master Node) will have the HVS device attached to it, as well as the OTG MediaStor software.”</li> <li>Document 32 - p. 9 provides “SCSI Hard Drive Array – Typically, all operating system and third party software is maintained on its own SCSI hard drive, mirrored RAID 1 on a single controller. All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array.”</li> </ul>
b4) a second interface for transmitting stored data to the distribution stage.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture. The telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1 / 5 T1 pipes) when connected trunk side.”</li> <li>Document 5 - p. 3-5 voice boards interfacing with the eRecorder disk and the recorder interfacing with the Database.</li> <li>Document 5 - p. 3-15 shows the types of Voice boards supported by eQuality ContactStore.</li> <li>Document 5 - p. 3-16, Fig. 4, shows the voice card interfacing with the eRecorder and the recorder interfacing with the BDR Server and the Oracle Database.</li> <li>Document 32 - p. 9 provides “Network Interface Card – Standard protocol configuration must be entered into Windows NT Server Network applet in the Windows Control Panel including default gateway, subnet mask, and DNS/WINS Server addresses and names.”</li> </ul>
9. The data logging system of claim 8 wherein the recorder stage still further comprises an archive storage device for archiving data.	<ul style="list-style-type: none"> <li>Document 1 - p. 5 provides that “eQuality ContactStore is a powerful, flexible, scalable and resilient solution for contact recording of up to 100% of all voice contacts, across single or multiple distributed sites, on either traditional or IP telephony systems. eQuality ContactStore provides a complete contact recording solution incorporating a powerful, browser-based search, review and replay application as well as a range of online and rules-driven archive storage options to a range of media.”</li> <li>Document 5 - p. 2-3 provides that the eRecorder server “[p]rovides additional near-line storage</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>options, such as high-volume tape archives, disk storage, and others.”</p> <ul style="list-style-type: none"> <li>• Document 5 - p. 2-3 describes how the “eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later.”</li> <li>• Document 4 - p. 4-19 “The eRecorder server records the voice and screen data of contacts. The data is available for immediate playback or can be archived and retrieved for playback later. The eRecorder server features a scalable architecture that provides highvolume recording and storage and that allows additional storage expansion using Storage Area Networks (SANs) and Network Attached Storage (NAS) or near-line storage options, such as highvolume tape archives, disk storage, and others.”</li> <li>• Document 10 - p. 61-62, “Should you require recordings to be archived and hence available beyond the time span catered for by the hard disk storage you have specified, then you need to implement an archiving mechanism. For example, a Windows 2000 Backup that copies the files associated with the recordings to a tape or other removable media.</li> </ul>
12. The data logging system of claim 9 wherein said archive storage device is a RAID array.	<ul style="list-style-type: none"> <li>• Document 7 - p. 1 shows how Witness provides RAID storage option: “With the MediaStore RAID option, there is no loss of recording in the event of disk failure and no downtime for disk replacement.”</li> <li>• Document 10 - p. 3, in recommended configurations: “Recordings can be stored on any NTFS file system disk partition. Witness recommends RAID arrays for secure storage.”</li> <li>• Document 32 - p. 9 provides “SCSI Hard Drive Array – Typically, all operating system and third party software is maintained on its own SCSI hard drive, mirrored RAID 1 on a single controller. All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array.”</li> </ul>
14. The data logging system of claim 1 wherein the distribution stage comprises:	
c1) a first interface receiving data from the recorder stage;	<ul style="list-style-type: none"> <li>• Document 5 - p. 4-2, Figure 1 shows how the Web server is connected to and interfaces with the network.</li> </ul>
c2) a controller for directing and monitoring distribution stage operations;	<ul style="list-style-type: none"> <li>• Document 5 - p. 4-2, Figure 1 shows how the Web server is connected to and interfaces with the network.</li> </ul>

NICE v. Witness 42234-0006

US 6,775,372

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
c3) a buffer for transitional data storage; and	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, Figure 1 shows the Web server.</li> <li>Document 5 - p. 4-2, Figure 1 shows the Web server.</li> </ul>
c4) a second interface for distributing data to one or more output channels.	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, Figure 1 shows the Web server.</li> <li>Document 5 - p. 4-2, Figure 1 shows the Web server.</li> </ul>
15. The data logging system of claim 1 wherein the distribution stage comprises an archive storage device for archiving data.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-19 to 3-21 explains how "eQuality Balance provides a high-volume storage solution for the near-line storage of application data . . . Content data is archived by moving it from the online eRecorder disk to extended storage."</li> <li>Document 7 - p. 1 shows how Witness provides RAID storage option: "With the MediaStore RAID option, there is no loss of recording in the event of disk failure and no downtime for disk replacement."</li> <li>Document 10 - p. 3, in recommended configurations: "Recordings can be stored on any NTFS file system disk partition. Witness recommends RAID arrays for secure storage."</li> <li>Document 32 - p. 9 provides "SCSI Hard Drive Array - Typically, all operating system and third party software is maintained on its own SCSI hard drive, mirrored RAID 1 on a single controller. All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array."</li> </ul>
17. The data logging system of claim 15 wherein said archive storage device is a RAID array.	<ul style="list-style-type: none"> <li>Document 7 - p. 1 shows how Witness provides RAID storage option: "With the MediaStore RAID option, there is no loss of recording in the event of disk failure and no downtime for disk replacement."</li> <li>Document 10 - p. 3, in recommended configurations: "Recordings can be stored on any NTFS file system disk partition. Witness recommends RAID arrays for secure storage."</li> <li>Document 32 - p. 9 provides "SCSI Hard Drive Array - Typically, all operating system and third party software is maintained on its own SCSI hard drive, mirrored RAID 1 on a single controller. All voice and data files are typically stored on a RAID 5 (stripe set w/parity) array."</li> </ul>
19. The data logging system of claim 1 wherein the distribution stage comprises: an operating system software application and a computer capable of running said software application and accessing one or more	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2 shows the Web server.</li> <li>Document 5 - p. 4-2, Fig. 1 shows the Web server connected to the network which is connected to the High volume storage "(Tape or SAN)."</li> </ul>



NICE v. Witness 42234-0006

US 6,775,372

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
remote serve computers.	
20. The data logging system of claim 19 wherein said computer is connected to said one or more remote server computers via a local area network.	<ul style="list-style-type: none"> <li>Document 5 - p. 4-2, Fig. 1 shows the Web server connected to the network which can be a local area network.</li> </ul>
21. The data logging system of claim 19 wherein said computer is connected to said one or more remote server computers via an Internet protocol (I/P) network.	<ul style="list-style-type: none"> <li>Document 5 - p. 4-2, Fig. 1 shows the Web server connected to the network which can be a Internet (I/P) network.</li> </ul>
23. The data logging system of claim 1 wherein at least one of said first and second interfaces is network-based.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture ... The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required."</li> <li>Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>Document 5 - p. 3-3, Figure 1 shows how the different components and interfaces are connected to the local area network (LAN).</li> <li>Document 5 - p. 3-16, Figure 4 and p. 3-21 Figure 7 show how the different components and interfaces are connected to the corporate LAN.</li> </ul>
32. The data logging system of claim 1, wherein the distribution stage is implemented as a network server.	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture ... The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required."</li> <li>Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>Document 5 - p. 2-2, Fig. 1 shows how the eBalance Server system uses different network servers,</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>a few of them from the distribution stage such as the Reporting Server, the Database Server and the Web Server.</p> <ul style="list-style-type: none"> <li>Document 5 - p. 3-3, Fig. 1 shows how components in the distribution stage, the eRecorder Disk and the Database Server are servers on the network.</li> </ul>
33. The data logging system of claim 32, wherein the network server is a Web server.	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, Fig. 1 shows how the eBalance Server system uses a Web Server.</li> <li>Document 5 - p. 4-2, Fig. 1 shows how a typical eQuality Recording server environment uses the Web Server.</li> </ul>
34. The data logging system of claim 32, wherein the network server is a file server.	<ul style="list-style-type: none"> <li>Document 19 - p. 4, Fig. 1 shows how the file server relates to other components in MediaStore.</li> <li>Document 19 - p. 7, Fig. 2 shows how the file server relates to "the components in the Contact Archive file structure."</li> </ul>
35. The data logging system of claim 33, wherein users can access the Web server through a browser.	<ul style="list-style-type: none"> <li>Document 1 - p. 5 provides that "eQuality ContactStore is a powerful, flexible, scalable and resilient solution for contact recording of up to 100% of all voice contacts, across single or multiple distributed sites, on either traditional or IP telephony systems. eQuality ContactStore provides a complete contact recording solution incorporating a powerful, browser-based search, review and replay application as well as a range of online and rules-driven archive storage options to a range of media."</li> <li>Document 5 - p. 1-2 provides that "Witness Systems provides this flexible, browser-based system designed to support your company's vision and processes."</li> <li>Document 5 - p. 2-5 shows that Web server hosts the following eQuality browser-based client applications: (1) eQuality Interactions, (2) eQuality Evaluations; and (3) eQuality Reporting.</li> <li>Document 10 - p. 7 provides that "[t]he default replay mechanism supported is Viewer. This is a browser-based interface, requiring Internet Explorer Version 5.5. The replay mechanism is hosted on Microsoft's Internet Information Server (IIS), hence the need for Windows 2000 Server to be installed on the PC used for eQuality ContactStore IP if more than 5 clients are to be supported concurrently."</li> </ul>
43. A data logger, comprising:  a telecommunication device receiving input from a plurality of communication channels;	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he telephony interface cards are interconnected to the record card using the high speed SCSI bus. Each ContactStore system has the capacity to record 128 concurrent channels when the recorder is connected extension side or 120 channels (4 E1/ST1</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>pipes) when connected trunk side.”</p> <ul style="list-style-type: none"> <li>• Document 5 - p. 3-15 shows the types of voice boards supported by eQuality ContactStore.</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 32 - p. 9 provides “Dialogic Voice Cards – In TDM deployments, voice connectivity is handled by one or more dialogic boards. These are unnecessary in IP deployments which use the Contact Store for Communication Manager recorder for voice handling. In most environments, digital cards are employed to provide 24 or 30 digital voice channels connecting to a corresponding T1 or E1 circuit, respectively, within the ACD/PBX. Analog card can be deployed, using the D/DIA160 card for 16 analog channels per card. In both cases, switch administrators need only configure the lines on these cards with permission sets consistent with contact center supervisors, permitting facility-wide service observe abilities.”</li> </ul>
<p>a processor converting the received input to one or more data formats;</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 8 provides that “[t]he ContactStore can support both analogue and digital interfaces in the traditional telephony environment, or a mix of the two within the same recording platform . . . . Analogue connections can be connected on either trunk or extension side. Extension side analogue taps allow recordings to occur independent of the specific switch type, whereas DET connections require specific support on the interface card for each telephone handset.”</li> <li>• Document 4 - p. A-53 shows all the voice processing cards that may be used in the eBalance System.</li> <li>• Document 5 - p. 3-15 shows the types of Voice boards supported by eQuality ContactStore.</li> <li>• Document 32 - p. 9 provides “Dialogic Voice Cards – In TDM deployments, voice connectivity is handled by one or more dialogic boards. These are unnecessary in IP deployments which use the Contact Store for Communication Manager recorder for voice handling. In most environments, digital cards are employed to provide 24 or 30 digital voice channels connecting to a corresponding T1 or E1 circuit, respectively, within the ACD/PBX. Analog card can be deployed, using the D/DIA160 card for 16 analog channels per card. In both cases, switch administrators need only configure the lines on these cards with permission sets consistent with contact center supervisors, permitting facility-wide service observe abilities.”</li> </ul>
<p>a memory for logging information about the received input, the information comprising data converted</p>	<ul style="list-style-type: none"> <li>• Document 1 - p. 7 provides that “[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture.”</li> <li>• Document 5 - p. 3-3, Fig. 1 shows how the eRecorder disk stores the content of the voice data.</li> </ul>

NICE v. Witness 42234-0006

US 6,775,372

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
to at least one data format;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-11 states that "the eRecorder stores recorded content to disk in a proprietary content database. Later, the BDR Server can playback the content by specifying the Media Channel used to record the content, as well as the start and stop times of the content recording."</li> <li>Document 10 - p. 3 describes the functionality of the eQuality ContactStore IP recorder. Furthermore, "[r]ecordings can be stored on any NTFS file system disk partition. Witness recommends RAID arrays for secure storage."</li> <li>Document 10 - p. 4 "The recorder uses a single disk buffer path on which to retain the most recent recordings . . . Where a more self-contained archival system is required, archival directly to a DVD-RAM drive is supported."</li> <li>Document 10 - p. 13 "eQuality ContactStore IP services which record, compress and process VoIP calls."</li> <li>Document 32 - p. 10 provides that "[t]he CSCM recorder is a separate Linux-based Server that provides IP-based voice connectivity with an Avaya Communication Manager ACD/PBX. This server provides the equivalent functionality to the Witness Quality for Communication Manager Server that the voice cards provide in TDM deployments, using IP-based softphone technology instead of digital or analog lines connected to the switch."</li> </ul>
a communication path to a communications network; and	<ul style="list-style-type: none"> <li>Document 1 - p. 7 provides that "[t]he ContactStore is based around an industry standard PC platform and incorporates a Pentium class processor and PCI bus architecture . . . The ContactStore recording solution can be simply upgraded by adding additional interface cards up to the capacity of the ContactStore chassis and additional networked ContactStore units can be added to the overall system as required."</li> <li>Document 1 - p. 7 provides that "[t]he core ContactStore architecture consists of three modular recording components and a search &amp; replay component, which can be networked and replicated as required to achieve the scalability of solution required."</li> <li>Document 5 - p. 3-3, Fig. 1 shows communication path to the LAN.</li> <li>Document 5 - p. 3-13, Fig. 3 shows how the different components communicate on the corporate (LAN).</li> </ul>
a server having access to the memory via the communications network for transferring logged data from one or more of said plurality of	<ul style="list-style-type: none"> <li>Document 4 - p. 1-2, Fig. 1-1 shows how the logged data travels through the Witness eBalance system and to the remote user at the workstation.</li> <li>Document 5 - p. 4-2 shows a typical eQuality Recording Server Environment with telephones, workstations, different application servers, PBX switch, data connections, and disk storage systems</li> </ul>

NICE v. Witness 42234-0006

US 6,775,372

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
communication channels via the communications network to at least one remote user.	<ul style="list-style-type: none"> <li>Document 9 - p. 8, shows that Live Monitor can "[p]rovide[] the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers,) synchronized with the screen activity."</li> </ul>
44. The data logger of claim 43 wherein the server is a Web server and the communications network is the Internet.	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, Fig. 1 shows how the eBalance Server system uses a Web Server.</li> <li>Document 5 - p. 4-2, Fig. 1 shows how a typical eQuality Recording server environment uses the Web Server.</li> <li>Document 5 - p. G-12 describes the use of the Web Server: "The eQuality Balance Web server runs login functions and the interface for eQuality Balance applications (Interactions, Evaluation, and Reporting)."</li> <li>Document 10 - p. 49, "eQuality ContactStore IP performs replay via a web browser based application that can be used from Internet Explorer V5.5."</li> </ul>



NICE v. Witness 42234-0006

US 6,785,370

**CONFIDENTIAL -- COUNSEL EYES ONLY****PRELIMINARY INFRINGEMENT CONTENTIONS**

<b>Patent No.:</b>	US 6,785,370
<b>Accused Products:</b>	eQuality Balance, eQuality ContactStore for IP, eQuality ContactStore, Witness Quality for Communication Manager, Witness ContactStore for Communication Manager, Impact 360
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 5 (NSDE 000477-000666)</li> <li>3. Document 9 (NSDE 000847-000966)</li> <li>4. Document 10 (NSDE 000967-001138)</li> <li>5. Document 14 (NSDE 001501-001668)</li> <li>6. Document 17 (NSDE 001845-001881)</li> <li>7. Document 18 (NSDE 001882-001910)</li> <li>8. Document 19 (NSDE 001911-001964)</li> <li>9. Document 20 (NSDE 001965-001978)</li> <li>10. Document 21 (NSDE 001979-001999)</li> <li>11. Document 23 (NSDE 002009-002022)</li> <li>12. Document 24 (NSDE 002023-002052)</li> <li>13. Document 25 (NSDE 002053-002214)</li> <li>14. Document 26 (NSDE 002215-002296)</li> <li>15. Document 28 (NSDE 002379-002447)</li> <li>16. Document 30 (NSDE 002624-002769)</li> <li>17. Document 36 (NSDE 003104-003275)</li> </ol>

NICE v. Witness 42234-0006

US 6,785,370

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>1. A method for constructing and maintaining data representations of lifetimes of telephone calls comprising one or more segments, audio data for each segment being recorded on one or more recorders, the method comprising:</p> <p>(a) constructing a call record for at least one telephone call;</p>	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>• Document 21 - Slide 16 - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>• Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> <li>• Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are "listed in the events list." In the Events List, "eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list."</li> <li>• Document 36 - p. 15, shows that the XML files contain the "details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording."</li> <li>• Document 19 - p. 6, "Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information."</li> <li>• Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 21 - Slide 16 - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>Document 14 - p. 37, Witness ContactStore for Communication Manager's ".xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required. Within each .xml file there are: All the details known about this recording. Most of the information, but not all, will be inserted into the calls database. Some of the information is only of interest for diagnostic and maintenance purposes, A link to the audio files, Start and end time in ISO format giving local time and offset from GMT."</li> </ul>
(b) receiving data regarding telephony events associated with one or more telephone calls;	<ul style="list-style-type: none"> <li>Document 5 - p. 2-3, "The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server."</li> <li>Document 5 - p. 2-3, The BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 11 shows the logical relationship of the ContactStore Plus components where eQuality ContactStore is logically connected to Unify to receive CTI information.</li> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> </ul>
(c) matching a received telephony event with a constructed call record;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> </ul>

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	<ul style="list-style-type: none"> <li>Document 9 - p. 10, "BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>Document 9 - p. 9, "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>Document 9 - p. 12, "Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance's BDR server by sending CTI events, session event attributes, and contact event attributes."</li> <li>Document 14 - p. 21, "[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> <li>Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> <li>Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> </ul>
(d) updating the matching call record based on the received telephony event data; and	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>Document 9 - p. 10, "BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 14 - p. 21, "[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>hand, "merges" these call records into one and shows the hold period as silence."</p> <ul style="list-style-type: none"> <li>• Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> <li>• Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>• Document 9 - p. 9, "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>• Document 9 - p. 12, "Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance's BDR server by sending CTI events, session event attributes, and contact event attributes."</li> </ul>
<p>(e) combining the updated call record with data indicating the location of recorded audio data for the segment of the call, to obtain a master call record representing the lifetime of the telephone call.</p>	<ul style="list-style-type: none"> <li>• Document 21 - Slide 16 - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> <li>• Document 36 - p. 15 shows that "[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer — under a root directory specified using the Administrator snap-in."</li> <li>• Document 23 - p. 1-5 states that "[t]his service records audio from the network interface and places the recordings in ".WAV" files on the hard disk in real-time. Associated with each .WAV file, there is a corresponding .XML file holding all relevant call details."</li> <li>• Document 14 - p. 21, "Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls."</li> </ul>



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>5. The method of claim 1 wherein the master call record comprises a serial number that identifies the telephone call.</p>	<ul style="list-style-type: none"> <li>Document 18 - slide 13, shows a screen shot where the "Name of Recording File" is a serial number.</li> <li>Document 24 - slide 20, shows a screen shot of a call listing which includes a universal call ID (serial number).</li> <li>Document 36 - p. 22, "The serial number is used to define the first 6 digits of the unique reference number given to each call recorded by the recorder. For example, the recorder with serial number 600001 will record its first call into files named 6000010000000001.wav and 6000010000000001.xml."</li> <li>Document 14 - p. 37, "The .xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required." Within each .xml file there is "A link to the audio files."</li> </ul>
<p>6. The method of claim 1 wherein the call record is updated with data fields describing each participant of the telephone call.</p>	<ul style="list-style-type: none"> <li>Document 24 - slide 20 shows a screen image with a listing of parties to a call.</li> <li>Document 5 - p. 3-2, "Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts' metadata includes . . . agents involved in the interaction."</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> <li>Document 14 - p. 38-39, shows a sample xml file which contains fields for participants in a telephone call.</li> <li>Document 1 - p. 11, ContactStore customers can store "over a dozen attributes about every interaction -- the agent ID, customer ID, type of call, result of the call, value of the sale, etc."</li> </ul>
<p>7. The method of claim 5 wherein the call record is updated with data</p>	<ul style="list-style-type: none"> <li>Document 24 - slide 20 shows a screen image with a listing of parties to a call.</li> </ul>

NICE v. Witness 42234-0006

US 6,785,370

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
fields describing each participant of the telephone call.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-2, "Contacts, which include all of the metadata tracked for a Call Center interaction, are stored in the database server. The contacts' metadata includes . . . agents involved in the interaction."</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by external controllers."</li> <li>Document 14 - p. 38-39, shows a sample xml file which contains fields for participants in a telephone call.</li> <li>Document 1 - p. 11, ContactStore customers can store "over a dozen attributes about every interaction - the agent ID, customer ID, type of call, result of the call, value of the sale, etc."</li> </ul>
8. The method of claim 1 further comprising the step of assembling and playing back segments of telephone calls using the recorder locations described in the master call record for each telephone call.	<ul style="list-style-type: none"> <li>Document 17 - slide 14 shows "follow the contact" capability.</li> <li>Document 17 - slide 14, states that with the eQuality Balance "You can record and review an entire customer interaction as it occurred (voice and data), including: Transfers, Conferences (including all parties on the call), Hold times (recording activity from CSR's perspective), Consultations, in which the CSRs return to an original call after placing a customer on hold."</li> <li>Document 23 - p. 1-5 states that "[t]his service records audio from the network interface and places the recordings in ".WAV" files on the hard disk in real-time. Associated with each .WAV file, there is a corresponding .XML file holding all relevant call details."</li> <li>Document 26 - page 20, describes the searchable database of recordings for the ContactStore for Communications Manager: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval. Witness ContactStore administers and manages this database automatically. The details stored allow searching by: Call start date/time; The name(s) and number(s) where provided of any party on the call (including ANI and/or DID where provided by the switch); Agent ID and name; Call duration; Universal Call Identifier (UCID); Service Name and Number (or Vector Directory Number, VDN); User defined fields supplied by</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>9. The method of claim 1 further comprising the step of using the master call record to display a graphical representation of said telephone call.</p>	<p>external controllers.”</p> <ul style="list-style-type: none"> <li>• Document 17 - slide 14 shows “follow the contact” capability.</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> <li>• Document 36 - p. 7, states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest.”</li> <li>• Document 30 - p. 125, describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>• Document 1 - p. 16, showing the “energy envelope,” a graphical representation of the audio and screen activity in the call.</li> <li>• Document 21 - p. 16, shows customer interaction “[e]vents listed in the ‘Events List’.”</li> </ul>
<p>11. The method of claim 9 wherein the graphical representation comprises a representation of each segment of the telephone call.</p>	<ul style="list-style-type: none"> <li>• Document 36 - p. 7, states that “[t]he user may play any of these calls and examine the details of any call listed. When playing a call, the user sees a graphical representation of the audio levels of each of the two parties on the call, enabling the user to pinpoint parts of the call that are of interest . . . The user may also choose to search for calls on the basis of a date/time range and calling/called party, for example extension number or name.”</li> <li>• Document 30 -” p. 125, describes eQuality Vision as a “graphical contact visualization and analysis application in ContactStore that helps users see patterns and trends in contacts.”</li> <li>• Document 14 - p. 21, “[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 21 - p. 13, “There is also a position indicator bar next to the toolbar that shows you what point you have reached in the recording. The bar has the duration of the contact listed and as the contact is being replayed, the hh:mm:ss of the contact are displayed as the recording progresses. While you see the point that you have reached in the recording, this bar allows you to move to</li> </ul>

NICE v. Witness 42234-0006

US 6,785,370

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>different places in the recording by skipping large amounts of time.”</p> <ul style="list-style-type: none"> <li>• Document 17 - slide 14 shows a complete call record with an “events” list.</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> </ul>
<p>27. A method for constructing and maintaining data representations of lifetimes of telephone calls comprising two or more segments, audio data for each segment being recorded on one or more recorders, the method comprising the steps of:</p>	<ul style="list-style-type: none"> <li>•</li> </ul>
<p>(a) constructing a call record for a telephone call comprising two or more segments;</p>	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-12, Follow-the-Call Recording “is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends.”</li> <li>• Document 21 - Slide 16 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>• Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> <li>• Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are “listed in the events list.” In the Events List, “eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list.”</li> <li>• Document 36 - p. 15, shows that the XML files contain the “details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording.”</li> </ul>

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Page 9 of 17

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 19 - p. 6, "Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information."</li> <li>Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> <li>Document 21 - Slide 16 - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>Document 14 - p. 37, Witness ContactStore for Communication Manager's ".xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required. Within each .xml file there are: All the details known about this recording. Most of the information, but not all, will be inserted into the calls database. Some of the information is only of interest for diagnostic and maintenance purposes. A link to the audio files, Start and end time in ISO format giving local time and offset from GMT."</li> </ul>
(b) receiving data regarding one or more telephony events associated with the telephone call;	<ul style="list-style-type: none"> <li>Document 5 - p. 2-3, "The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server."</li> <li>Document 5 - p. 2-3, The BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 11 shows the logical relationship of the ContactStore Plus components where eQuality ContactStore is logically connected to Unify to receive CTI information.</li> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the</li> </ul>



NICE v. Witness 42234-0006

US 6,785,370

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."
(c) matching said one or more received telephony events with said call record;	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>Document 9 - p. 10, "BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>Document 5 - p. 2-3, "Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations."</li> <li>Document 9 - p. 9, "Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts."</li> <li>Document 9 - p. 11, shows how Unify receives the telephony events from the CTL.</li> <li>Document 9 - p. 12, "Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance's BDR server by sending CTI events, session event attributes, and contact event attributes."</li> <li>Document 14 - p. 21, "[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, "merges" these call records into one and shows the hold period as silence."</li> <li>Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> <li>Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> </ul>
(d) updating said call record based on said received telephony event	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
data; and	<p>BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends.”</p> <ul style="list-style-type: none"> <li>• Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations.”</li> <li>• Document 14 - p. 21, “[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 20 - p. 2, “Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database.”</li> <li>• Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 2-3, “Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations.”</li> <li>• Document 9 - p. 9, “Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts.”</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>• Document 9 - p. 12, “Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance’s BDR server by sending CTI events, session event attributes, and contact event attributes.”</li> </ul>
(e) combining said updated call record with data indicating one or more locations of recorded audio data for two or more segments of the call, to obtain a master call record representing the lifetime of said telephone call.	<ul style="list-style-type: none"> <li>• Document 21 - Slide 16 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> <li>• Document 36 - p. 15 shows that “[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in.”</li> </ul>

NICE v. Witness 42234-0006

US 6,785,370

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 23 - p. 1-5 states that "[t]his service records audio from the network interface and places the recordings in ".WAV" files on the hard disk in real-time. Associated with each .WAV file, there is a corresponding .XML file holding all relevant call details."</li> <li>Document 14 - p. 21, "Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls."</li> </ul>
<p>28. A method for constructing and maintaining data representations of lifetimes of telephone calls comprising two or more segments, the method comprising:</p> <p>(a) constructing a call record for a telephone call comprising two or more segments, wherein at least one participant in said call participates in two or more of said segments;</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>Document 21 - Slide 16 - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> <li>Document 17 - slide 14, explains that events such as transfers, conferences, hold times, and consultations are "listed in the events list." In the Events List, "eQuality marks and stores actions taken in a contact and stores it in the event list for that customer contact. The entire contact can be reviewed or you can skip to a specific part by selecting it from the events list."</li> <li>Document 36 - p. 15, shows that the XML files contain the "details about the recordings. They are created by the eQuality ContactStore IP Capture Service and contain all the information known about the recording."</li> <li>Document 19 - p. 6, "Every call item has an XML file containing the data describing it, for example, start and stop time, CFR (Call Flow Recording) details, and other CTI (computer telephony integration) or similar information."</li> </ul>

NICE v. Witness 42234-0006

US 6,785,370

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	<ul style="list-style-type: none"> <li>• Document 20 - p. 2, "Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database."</li> <li>• Document 21 - Slide 16 - "Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List."</li> <li>• Document 14 - p. 37, Witness ContactStore for Communication Manager's ".xml files contain details about the recorded call segments. Although most users typically search against the Witness ContactStore's database of calls, you can view these files directly in a browser if required. Within each .xml file there are: All the details known about this recording. Most of the information, but not all, will be inserted into the calls database. Some of the information is only of interest for diagnostic and maintenance purposes, A link to the audio files, Start and end time in ISO format giving local time and offset from GMT."</li> </ul>
(b) receiving data regarding one or more telephony events associated with the telephone call;	<ul style="list-style-type: none"> <li>• Document 5 - p. 2-3, "The CTI Adapter translates CTI event information from vendor specific CTI servers and switches, and delivers that event information to the BDR server."</li> <li>• Document 5 - p. 2-3, The BDR server "monitors and tracks contact center activity."</li> <li>• Document 9 - p. 11 shows the logical relationship of the ContactStore Plus components where eQuality ContactStore is logically connected to Unify to receive CTI information.</li> <li>• Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends."</li> <li>• Document 25 - p. 8: "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>• Document 10 - p. 5-6: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files, the details of each recording are inserted into an ODBC compliant database for ease of retrieval."</li> <li>• Document 26 - p. 20: "In addition to .xml and .wav files, which contain the details about the recordings and the audio contents of the files respectively, the details of each recording are inserted into a database (PostgreSQL) for ease of retrieval."</li> </ul>
(c) matching said one or more	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-12, Follow-the-Call Recording "is implemented by capturing a CTI event and</li> </ul>

NICE v. Witness 42234-0006

US 6,785,370

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
received telephony events with said call record;	<p>then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends.”</p> <ul style="list-style-type: none"> <li>• Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations.”</li> <li>• Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 2-3, “Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations.”</li> <li>• Document 9 - p. 9, “Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts.”</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTI.</li> <li>• Document 9 - p. 12, “Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance’s BDR server by sending CTI events, session event attributes, and contact event attributes.”</li> <li>• Document 14 - p. 21, “[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 20 - p. 2, “Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database.”</li> <li>• Document 5 - p. 3-4 states that “[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts.”</li> </ul>
(d) updating said call record based on said received telephony event data; and	<ul style="list-style-type: none"> <li>• Document 5 - p. 3-12, Follow-the-Call Recording “is implemented by capturing a CTI event and then converting the adapter-specific event language to a common BDR Server event language. The BDR Server attempts to follow the call by tracking the call as it is passed from one agent to another. Once all of the agents have left the call, the contact ends.”</li> <li>• Document 9 - p. 10, “BDR Server: The Business Driven Recording (BDR) server is the central</li> </ul>



NICE v. Witness 42234-0006

US 6,785,370

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	<p>component that records contacts based on business rules evaluations.”</p> <ul style="list-style-type: none"> <li>• Document 14 - p. 21, “[I]f you find one call segment, you can easily find the other segments by clicking on the link in the UCID column. Viewer, a separate server replay application, on the other hand, “merges” these call records into one and shows the hold period as silence.”</li> <li>• Document 20 - p. 2, “Universal ID — The Universal Call Identifier (UCID), a number assigned to each call at the Communication Manager at the switch. This number is used to identify calls and call segments in the Witness ContactStore database.”</li> <li>• Document 5 - p. 2-2, shows the eQuality Balance System Components.</li> <li>• Document 5 - p. 2-3, “Business Driven Recording (BDR) server is the central eQuality component that records contacts based on business rules evaluations.”</li> <li>• Document 9 - p. 9, “Unify: Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTI events, identify recorded contacts, and to control the recording of contacts.”</li> <li>• Document 9 - p. 11, shows how Unify receives the telephony events from the CTL.</li> <li>• Document 9 - p. 12, “Unify acts as the CTI event source for Balance. A Unify CTI script communicates with Balance’s BDR server by sending CTI events, session event attributes, and contact event attributes.”</li> </ul>
(e) combining said updated call record with data indicating one or more locations of recorded audio data for two or more segments of the call, to obtain a master call record representing the lifetime of said telephone call:	<ul style="list-style-type: none"> <li>• Document 21 - Slide 16 - “Follow the Contact allows user to record the entire customer interaction as it occurred - transfers, conferences, hold time; Events listed in the Events List.”</li> <li>• Document 24 - slide 20, shows a screen shot of a graphical representation of a telephone call, including call start time, length, agent, parties, service and ID number of the call generated by Witness ContactStore for Communication Manager.</li> <li>• Document 18 - slides 13 and 18, show screen shots of a graphical representation of a telephone call generated by the eQuality Balance.</li> <li>• Document 36 - p. 15 shows that “[e]ach call that is recorded by eQuality ContactStore IP results in one or more files being stored in a disk buffer – under a root directory specified using the Administrator snap-in.”</li> <li>• Document 23 - p. 1-5 states that “This service records audio from the network interface and places the recordings in “.WAV” files on the hard disk in real-time. Associated with each .WAV file, there is a corresponding .XML file holding all relevant call details.”</li> </ul>

NICE v. Witness 42234-0006

US 6,785,370

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	<ul style="list-style-type: none"><li>Document 14 - p. 21, "Placing a call on hold completes a call segment. If the call is subsequently retrieved from hold by the same station that placed it on hold, the two segments of the call are stored as separate recordings (.wav files) and can be searched and played as two calls."</li></ul>

NICE v. Witness 42234-0006

US 6,870,920

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<b>Patent No.:</b>	US 6,870,920
<b>Accused Products:</b>	Impact 360, Witness ContactStore, Witness Quality for Communication Manager, Witness ContactStore for Communication Manager
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 1 (NSDE 000011-000052)</li> <li>2. Document 2 (NSDE 000053-000062)</li> <li>3. Document 4 (NSDE 000261-000476)</li> <li>4. Document 5 (NSDE 000477-000666)</li> <li>5. Document 9 (NSDE 000847-000966)</li> <li>6. Document 10 (NSDE 000967-001138)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
<p>1. A method for accessing information in at least one digital logger storing data associated with input from a plurality of input channels, comprising:</p> <p>at a Web server having access to said at least one digital logger, receiving a request for retrieval of stored data from a client;</p>	<ul style="list-style-type: none"> <li>• Document 5 - p. 4-2 shows a typical eQuality Recording Server Environment with telephones, workstations, different application servers, PBX switch, data connections, and disk storage systems in a communication network that receives input from a plurality of communication channels.</li> <li>• Document 5 - p. 4-6 shows how one can access information from the eQuality Balance system.</li> <li>• Document 5 - p. 3-3, Fig. 1 shows how the eRecorder Server receives information from the PBX Switch, the BDR Server and Workstation Recording Data from the LAN.</li> <li>• Document 2 - p. 1, 8-10.</li> <li>• Document 5 - p. 2-2, Figure 1 shows the Web server.</li> </ul>

NICE v. Witness 42234-0006

US 6,870,920

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>retrieving stored data in accordance with the received request; and</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 4-2, Figure 1 shows the Web server.</li> <li>Document 5 - p. 2-5, describes how the "Web server hosts the following eQuality browser-based client applications:" (1) eQuality Interactions; (2) eQuality Evaluation; and (3) eQuality Reporting.</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 10 - p. 49, "eQuality ContactStore IP performs replay via a web browser based application that can be used from Internet Explorer V5.5."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "sends an HTTP request to the Contact Viewer search and retrieve Web service to retrieve the content."</li> </ul>
<p>transferring the retrieved data to the client.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "communicates with the Contact Viewer server via basic authentication and streams audio content back to Contact Viewer for the contact."</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "communicates with the Contact Viewer server via basic authentication and streams audio content back to Contact Viewer for the contact."</li> </ul>
<p>2. The method of claim 1 wherein the step of retrieving stored data comprises accessing a record of an input channel made by said at least one digital logger.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-8 provides that "[t]he BDR Server directs all recording requests to a configured Media Channel. The Media Channel is capable of recording or retrieving a single stream of data at any given time. The data can be audio captured during a call or screen images captured from an agent's workstation."</li> <li>Document 5 - p. 3-27 provides that "[t]he Interactions client obtains the contact metadata from the</li> </ul>

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
3. The method of claim 2 wherein the step of retrieving stored data comprises accessing call information for a record of an input channel made by said at least one digital logger.	<p>database and issues a request to the BDR Server to export the specified contact. The BDR Server also retrieves the contact metadata and sends the appropriate export command to the eRecorder with the appropriate content metadata. The eRecorder generates a Microsoft AVI file with the combined audio content, video content, or both. All exported AVI files are written to the Exports directory on the Web Server."</p> <ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he BDR Server also retrieves the contact metadata and constructs a Playback Session . . . The BDR Server allocates the appropriate Media Channels required for playback. For each content record, the BDR Server specifies the start time, end time, and Media Channel on which the contact was originally recorded."</li> <li>Document 5 - p. 3-27 provides that "[t]he Interactions client obtains the contact metadata from the database and issues a request to the BDR Server to export the specified contact. The BDR Server also retrieves the contact metadata and sends the appropriate export command to the eRecorder with the appropriate content metadata. The eRecorder generates a Microsoft AVI file with the combined audio content, video content, or both. All exported AVI files are written to the Exports directory on the Web Server."</li> </ul>
6. The method of claim 1 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of an input channel made by said at least one digital logger.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how "[w]hen a user requests playback for a contact in the Balance system (with audio playback through speakers or telephone)," a sequence of events occur.</li> </ul>
7. A method for accessing information in a digital logging system storing data associated with input from a plurality of communication channels, comprising:	
receiving an information request from a user at a network server having access to a plurality of data records created by the logging system, the records	<ul style="list-style-type: none"> <li>Document 5 - p. 4-6 shows how one can access information from the eQuality Balance system.</li> <li>Document 5 - p. 4-2 shows a typical eQuality Recording Server Environment with telephones, workstations, different application servers, PBX switch, data connections, and disk storage systems in a communication network that receives input from a plurality of communication channels.</li> <li>Document 5 - p. 3-3, Fig. 1 shows how the eRecorder Server receives information from the PBX</li> </ul>



NICE v. Witness 42234-0006

US 6,870,920

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
corresponding to data transmitted over a communication channel;	<p>Switch, the BDR Server and Workstation Recording Data from the LAN.</p> <ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he BDR Server also retrieves the contact metadata and constructs a Playback Session . . . The BDR Server allocates the appropriate Media Channels required for playback . . . When the content is opened, the Media Channel allocated for playback streams the found video content data to the Interactions client. When the user clicks the Play button, the Interactions client plays the video data. The Interactions client is responsible for synchronization of audio and video data."</li> </ul>
providing to the user a description of services offered by the network server; receiving at the network server an indication of a service selected by the user;	<ul style="list-style-type: none"> <li>Document 2 - p. 1, 8-10.</li> <li>Document 5 - p. 4-7 to 4-8 shows all the services offered to the user via the eQuality Balance Main Menu: (1) Interactions, (2) Evaluations, (3) Reporting and (4) System Administration.</li> </ul>
running at the network server of a software routine causing the server to elicit from the user one or more of the following: user information, user ID, authorization level, password and payment information; in response to the elicited user data providing access to one or more stored records created by the logging system.	<ul style="list-style-type: none"> <li>Document 5 - p. 4-6 shows how the eQuality Balance Login page prompts the user for ID and password.</li> </ul>
9. The method of claim 7, wherein the network server is a Web server.	<ul style="list-style-type: none"> <li>Document 5 - p. 2-2, Fig. 1 shows how the eBalance Server system uses a Web Server.</li> <li>Document 5 - p. 4-2, Fig. 1 shows how a typical eQuality Recording server environment uses the Web Server.</li> </ul>
10. The method of claim 9, wherein the user and the Web server communicate through a web browser.	<ul style="list-style-type: none"> <li>Document 5 - p. 1-2 provides that "Witness Systems provides this flexible, browser-based system designed to support your company's vision and processes."</li> <li>Document 5 - p. 2-5 shows that "Web server hosts the following eQuality browser-based client applications: (1) eQuality Interactions, (2) eQuality Evaluations; and (3) eQuality Reporting.</li> <li>Document 10 - p. 7 provides that "[t]he default replay mechanism supported is Viewer. This is a</li> </ul>

31382302\_V32

Page 4 of 10

NICE v. Witness 42234-0006

US 6,870,920

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>browser-based interface, requiring Internet Explorer Version 5.5. The replay mechanism is hosted on Microsoft's Internet Information Server (IIS), hence the need for Windows 2000 Server to be installed on the PC used for eQuality ContactStore IP if more than 5 clients are to be supported concurrently."</p>
<p>15. The method of claim 7, wherein at least some data records created by the logging system are archived at the network server.</p>	<ul style="list-style-type: none"> <li>Document 4 - p. 4-19 provides that "[t]he eRecorder server features a scalable architecture that provides high volume recording and storage and that allows additional storage expansion using Storage Area Networks (SANs) and Network Attached Storage (NAS) or near-line storage options, such as high volume tape archives, disk storage, and others."</li> <li>Document 1 - p. 20 provides that "[t]he ContactStore Archive is available as a chargeable option and provides a local / enterprise wide solution that enables contacts recorded by ContactStores to be archived efficiently and securely on external industry-standard storage environments such as Storage Area Networks (SAN) and Network Attached Storage (NAS)."</li> </ul>
<p>16. A method for accessing information stored by at least one digital logger storing data associated with input from a plurality of communication channels, comprising:</p>	
<p>at a Web server having access to said information stored by at least one digital logger over a communications network, receiving a request for retrieval of stored data from a user;</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 4-2 shows a typical eQuality Recording Server Environment with telephones, workstations, different application servers, PBX switch, data connections, and disk storage systems in a communication network that receives input from a plurality of communication channels.</li> <li>Document 5 - p. 2-5, describes how the "Web server hosts the following eQuality browser-based client applications."</li> <li>Document 2 - p. 1, 8-10.</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 10 - p. 49, "eQuality ContactStore IP performs replay via a web browser based application that can be used from Internet Explorer V5.5."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "sends an HTTP request to the Contact Viewer search and retrieve Web service to retrieve the content."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>retrieving said stored data from said information in accordance with the received request; and</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-3, Fig. 1 shows how the eRecorder Server receives information from the PBX Switch, the BDR Server and Workstation Recording Data from the LAN.</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "communicates with the Contact Viewer server via basic authentication and streams audio content back to Contact Viewer for the contact."</li> </ul>
<p>transferring the retrieved data to the client.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 4-6 shows how one can access information from the eQuality Balance system.</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "communicates with the Contact Viewer server via basic authentication and streams audio content back to Contact Viewer for the contact."</li> </ul>
<p>17. The method of claim 16 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least one digital logger.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he BDR Server also retrieves the contact metadata and constructs a Playback Session . . . The BDR Server allocates the appropriate Media Channels required for playback. For each content record, the BDR Server specifies the start time, end time, and Media Channel on which the contact was originally recorded."</li> <li>Document 5 - p. 3-8 provides that "[t]he BDR Server directs all recording requests to a configured Media Channel. The Media Channel is capable of recording or retrieving a single stream of data at any given time. The data can be audio captured during a call or screen images captured from an agent's workstation."</li> <li>Document 5 - p. 3-27 provides that "[t]he Interactions client obtains the contact metadata from the database and issues a request to the BDR Server to export the specified contact. The BDR Server also retrieves the contact metadata and sends the appropriate export command to the eRecorder with the appropriate content metadata. The eRecorder generates a Microsoft AVI file with the combined audio content, video content, or both. All exported AVI files are written to the Exports directory on the Web Server."</li> </ul>

NICE v. Witness 42234-0006

US 6,870,920

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>18. The method of claim 17 wherein the step of retrieving stored data comprises accessing call information for a record of a communication channel made by said at least one digital logger.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he BDR Server also retrieves the contact metadata and constructs a Playback Session . . . The BDR Server allocates the appropriate Media Channels required for playback. For each content record, the BDR Server specifies the start time, end time, and Media Channel on which the contact was originally recorded."</li> <li>Document 5 - p. 3-8 provides that "[t]he BDR Server directs all recording requests to a configured Media Channel. The Media Channel is capable of recording or retrieving a single stream of data at any given time. The data can be audio captured during a call or screen images captured from an agent's workstation."</li> <li>Document 5 - p. 3-27 provides that "[t]he Interactions client obtains the contact metadata from the database and issues a request to the BDR Server to export the specified contact. The BDR Server also retrieves the contact metadata and sends the appropriate export command to the eRecorder with the appropriate content metadata. The eRecorder generates a Microsoft AVI file with the combined audio content, video content, or both. All exported AVI files are written to the Exports directory on the Web Server."</li> </ul>
<p>21. The method of claim 16 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of a communication channel made by said at least one digital logger.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how "[w]hen a user requests playback for a contact in the Balance system (with audio playback through speakers or telephone)," a sequence of events occur.</li> </ul>
<p>22. A method for accessing information in at least one digital logger storing data from a plurality of input channels, comprising:</p> <p>at a Web server having access to said at least one digital logger, receiving a request from a client for retrieval of stored data from one or more of a plurality of input channels;</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-3, Fig. 1 shows how the eRecorder Server receives information from the PBX Switch, the BDR Server and Workstation Recording Data from the LAN.</li> <li>Document 5 - p. 4-2 shows a typical eQuality Recording Server Environment with telephones, workstations, different application servers, PBX switch, data connections, and disk storage systems in a communication network that receives input from a plurality of communication channels.</li> <li>Document 2 - p. 1, 8-10.</li> </ul>



NICE v. Witness 42234-0006

US 6,870,920

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 5 - p. 2-5, describes how the "Web server hosts the following eQuality browser-based client applications."</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 10 - p. 49, "eQuality ContactStore IP performs replay via a web browser based application that can be used from Internet Explorer V5.5."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "sends an HTTP request to the Contact Viewer search and retrieve Web service to retrieve the content."</li> </ul>
retrieving data comprising said stored data in accordance with said received request; and	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "communicates with the Contact Viewer server via basic authentication and streams audio content back to Contact Viewer for the contact."</li> </ul>
transferring said retrieved data to the client.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "communicates with the Contact Viewer server via basic authentication and streams audio content back to Contact Viewer for the contact."</li> </ul>
23. The method of claim 22 wherein the step of retrieving stored data comprises accessing a record of an input channel made by said at least one digital logger.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he BDR Server also retrieves the contact metadata and constructs a Playback Session . . . The BDR Server allocates the appropriate Media Channels required for playback. For each content record, the BDR Server specifies the start time, end time, and Media Channel on which the contact was originally recorded."</li> <li>Document 5 - p. 3-8 provides that "[t]he BDR Server directs all recording requests to a configured Media Channel. The Media Channel is capable of recording or retrieving a single stream of data at any given time. The data can be audio captured during a call or screen images captured from an</li> </ul>

31382302\_V32

Page 8 of 10



**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>agent's workstation."</p> <ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he Interactions client obtains the contact metadata from the database and issues a request to the BDR Server to export the specified contact. The BDR Server also retrieves the contact metadata and sends the appropriate export command to the eRecorder with the appropriate content metadata. The eRecorder generates a Microsoft AVI file with the combined audio content, video content, or both. All exported AVI files are written to the Exports directory on the Web Server."</li> </ul>
<p>24. The method of claim 23 wherein the step of retrieving stored data comprises accessing call information for a record of an input channel made by said at least one digital logger.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "[t]he BDR Server also retrieves the contact metadata and constructs a Playback Session . . . The BDR Server allocates the appropriate Media Channels required for playback. For each content record, the BDR Server specifies the start time, end time, and Media Channel on which the contact was originally recorded."</li> <li>Document 5 - p. 3-8 provides that "[t]he BDR Server directs all recording requests to a configured Media Channel. The Media Channel is capable of recording or retrieving a single stream of data at any given time. The data can be audio captured during a call or screen images captured from an agent's workstation."</li> <li>Document 5 - p. 3-27 provides that "[t]he Interactions client obtains the contact metadata from the database and issues a request to the BDR Server to export the specified contact. The BDR Server also retrieves the contact metadata and sends the appropriate export command to the eRecorder with the appropriate content metadata. The eRecorder generates a Microsoft AVI file with the combined audio content, video content, or both. All exported AVI files are written to the Exports directory on the Web Server."</li> </ul>
<p>25. The method of claim 24 wherein said call information comprises voice data.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "The eRecorder retrieves the content from disk and prepares it for playback. The audio playback is established through a switch extension provided to the eRecorder during installation. The audio is streamed through this playback port when the Play command is issued."</li> <li>Document 5 - p. 3-27 provides that "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both."</li> </ul>
<p>28. The method of claim 22 wherein the step of retrieving stored data comprises accessing archived data</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the</li> </ul>

NICE v. Witness 42234-0006

US 6,870,920

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
at the Web server corresponding to a record of an input channel made by said at least one digital logger.	<p data-bbox="285 289 313 1381">Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</p> <ul data-bbox="329 338 386 1381" style="list-style-type: none"><li data-bbox="329 338 386 1381">• Document 9 - p. 14 shows how "[w]hen a user requests playback for a contact in the Balance system (with audio playback through speakers or telephone)," a sequence of events occur.</li></ul>

31382302\_V32

Page 10 of 10

NICE v. Witness 42234-0006

US 6,959,079

**CONFIDENTIAL -- COUNSEL EYES ONLY****PRELIMINARY INFRINGEMENT CONTENTIONS**

<b>Patent No.:</b>	US 6,959,079
<b>Accused Products:</b>	eQuality ContactStore for IP, eQuality ContactStore, Witness Quality for Communication Manager, Impact 360
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 5 (NSDE 000477-000666)</li> <li>2. Document 9 (NSDE 000847-000966)</li> <li>3. Document 25 (NSDE 002053-002214)</li> <li>4. Document 37 (NSDE 003276-003471)</li> <li>5. Document 38 (NSDE 003472-003591)</li> <li>6. Document 39 (NSDE 003592-003785)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
<p>1. A monitoring system for monitoring interactions of an agent with customers comprising:</p> <ul style="list-style-type: none"> <li>a voice logger to receive and record audio of a telephone call of said agent;</li> </ul>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-3, provides that the BDR server "Uses the eRecorder to record agent voice or screen data relating to a contact."</li> <li>Document 9 - p. 9 describes eWare (ContactStore component) as "the component used to record voice data, as well manage the recording system and its database."</li> <li>Document 25 - p. 8 provides that "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 5 - p. 2-3 provides that the BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 8 describes the Live Monitor feature as "[p]rovides the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers), synchronized with the screen activity."</li> </ul>

31381476\_V28

Page 1 of 4

**CONFIDENTIAL -- COUNSEL EYES ONLY**

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
	<ul style="list-style-type: none"> <li>Document 9 - p. 11 shows the Component Relationships.</li> <li>Document 25 - p. 8 provides that "Witness Quality for Communication Manager is a quality monitoring software application. You can use it to inspect call quality by recording the voice and data actions of your contact center agents."</li> </ul>
<p>a screen logger to receive and record video screen data associated with interactions of said agent with a computer during the telephone call; and</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 2-3, provides that the BDR server "Uses the eRecorder to record agent voice or screen data relating to a contact."</li> <li>Document 9 - p. 9 describes eRecorder (Balance component) as "the content storage subsystem used by Balance to save screen data associated with contacts. If the configuration uses ContactStore to capture screen data, Balance may not use the eRecorder."</li> <li>Document 25 - p. 8 provides that "Witness Quality for Communication Manager captures both the voice and data portions of each call. During playback of recorded sessions, the voice and data portions of the call are synchronized for high-quality replay."</li> <li>Document 5 - p. 2-3 provides that the BDR server "monitors and tracks contact center activity."</li> <li>Document 9 - p. 8 describes the Live Monitor feature as "[p]rovides the ability to Live Monitor an agent and to replay audio to the handset or over the network (using PC speakers), synchronized with the screen activity."</li> <li>Document 9 - p. 11 shows the Component Relationships.</li> <li>Document 25 - p. 8 provides that "Witness Quality for Communication Manager is a quality monitoring software application. You can use it to inspect call quality by recording the voice and data actions of your contact center agents."</li> </ul>
<p>an event manager to determine whether said interactions with the computer during the telephone call meet at least one predefined monitoring condition.</p>	<ul style="list-style-type: none"> <li>Document 5 - p. 3-4 states that "[e]ach event is processed by the BDR Server and an appropriate action is taken. Actions include tracking calls and supplementary information provided by CRM integrations as they occur in the Call Center, evaluating business rules based on these events, and storing this information in the database as contacts."</li> <li>Document 9 - p. 9 describes "Unify is a middleware component. Unify uses a scripting language to define business rules and to communicate with Connect. Unify also allows ContactStore to detect and respond to CTFI events, identify recorded contacts, and to control the recording of contacts."</li> <li>Document 9 - p. 10 describes how "[t]he Business Driven Recording (BDR) server is the central component that records contacts based on business rules evaluations."</li> <li>Document 25 - p. 10 provides that "[m]onitoring through pre-set business rules can now be</li> </ul>

NICE v. Witness 42234-0006

US 6,959,079

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	implemented through Witness Quality for Communication Manager to target specific events and attributes to initiate the recording of a call."
5. The monitoring system of claim 1, further comprising:  an evaluator coupled to said voice logger and to said screen logger to enable design of evaluation forms.	<ul style="list-style-type: none"> <li>Document 5 - p. G-4 states that "[s]upervisors complete evaluations for agents. Each evaluation is associated with a monitored contact."</li> <li>Document 9 - p. 9 shows how "Evaluation &amp; Reporting (hereinafter referred to as Evaluation and/or Reporting) provide the means to review the performance of agents using contacts identified by Balance and/or ContactStore, and then to report on activity within Balance."</li> <li>Document 9 - p. 11 shows the Component Relationships including how eQuality Evaluation is linked to the voice logger and the screen logger.</li> <li>Document 38 - is a guide on how to design and build evaluation forms on Witness Quality for Communication Manager: p. 5 - "the most important step in your implementation of Witness Quality for Communication Manager is the development of evaluation forms that capture accurate and meaningful information. This guide helps you to design and build custom evaluation forms that enable you to meet your business goals."</li> <li>Document 37 - discusses evaluation forms for eQuality Balance.</li> </ul>
6. The monitoring system of claim 5, wherein said evaluator is able to perform automated evaluations based on predefined programming.	<ul style="list-style-type: none"> <li>Document 38 - p. 8 provides that "[u]sing the Graph application, managers and QA personnel run graphs and reports to review the results of multiple evaluations. These reports help them assess productivity and customer service levels, identify problem areas and trends, and develop training plans and other strategies."</li> <li>Document 38 - p. 34 provides that "[f]or each predefined field you decide to use, determine whether to use the default field labels shown in the table on page 35 or your own field labels. Also decide whether the field should be read-only. For all predefined fields, QCM automatically enters information that has been stored for the agent or call. The field's read-only setting determines whether the evaluator can change that information."</li> <li>Document 39 - p. 5-9 explains that "[u]se trending reports to help you review the effectiveness of an agent, groups of agents, or all agents for a supervisor based on evaluation scores summarized over multiple periods of time."</li> <li>Document 39 - p. 5-12 explains that "[t]he Scheduled Reports Window displays all reports scheduled to run. You can view / edit scheduled report parameters and delete scheduled reports."</li> </ul>



NICE v. Witness 42234-0006

US 6,959,079

CONFIDENTIAL -- COUNSEL EYES ONLY

31381476\_V28

Page 4 of 4

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY****PRELIMINARY INFRINGEMENT CONTENTIONS**

<b>Patent No.:</b>	US 7,010,109
<b>Accused Products:</b>	Witness ContactStore, Witness Quality for Communication Manager, Witness ContactStore for Communication Manage, Impact 360
<b>Reference Documents:</b>	<ol style="list-style-type: none"> <li>1. Document 4 (NSDE 000261-000476)</li> <li>2. Document 5 (NSDE 000477-000666)</li> <li>3. Document 9 (NSDE 000847-000966)</li> <li>4. Document 10 (NSDE 000967-001138)</li> <li>5. Document 14 (NSDE 001501-001668)</li> <li>6. Document 26 (NSDE 002215-002296)</li> <li>7. Document 29 (NSDE 002448-002623)</li> <li>8. Document 32 (NSDE 002850-002901)</li> <li>9. Document 34 (NSDE 002936-002940)</li> <li>10. Document 40 (NSDE 003786-003915)</li> <li>11. Document 41 (NSDE 003916-004016)</li> <li>12. Document 43 (NSDE 004022-004082)</li> <li>13. Document 44 (NSDE 004083-004092)</li> <li>14. Document 45 (NSDE 004093-004119)</li> </ol>

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
1. A method for recording at least a portion of one or more of a plurality of IP data sessions, each being between at least a first communication device and	

31381383\_V37

Page 1 of 33

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<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
a second communication device through a network by a recording device, comprising for each IP data session:	
initiating the data session by said first communication device with said second communication device;	<ul style="list-style-type: none"> <li>Document 10 - p. 33, "Ad hoc conferences are treated as a set of two way calls, between the extensions or outside numbers and the conference bridge. If the recording rules dictate that such a call will be recorded, then that view of the conference will be recorded."</li> <li>Document 26 - p. 14 provides that "Witness ContactStore records telephone calls made on Avaya Communication Manager systems at release 2.0 and above—using analog, digital or IP-based stations. Recordings are made by connecting IP softphones running on an Avaya Communication Manager API platform into the calls via the Service Observe or conferencing features."</li> <li>Document 14 - p. 17 provides that "'Conferenced' recording, uses a pool of ports that are dynamically assigned to the calls that are to be recorded."</li> </ul>
implementing the data session as a conference call through a conference controller such that said first and second communication devices are connected, respectively, as first and second participants;	<ul style="list-style-type: none"> <li>Document 26 - p. 14 provides that "Witness ContactStore records telephone calls made on Avaya Communication Manager systems at release 2.0 and above—using analog, digital or IP-based stations. Recordings are made by connecting IP softphones running on an Avaya Communication Manager API platform into the calls via the Service Observe or conferencing features."</li> <li>Document 26 - p. 34 provides that "[w]ith all other modes, recorded call uses one more Port Network timeslot than it would use if it were not recorded. The recorder's IP phone makes an n-way call into an n+1 way conference. Total timeslot usage on each port network under maximum concurrent recording conditions must not exceed 484."</li> <li>Document 14 - p. 25 provides that "Witness ContactStore uses JTAPI, provided by Avaya CT Server or AE Services to observe and record using single-step conferencing."</li> <li>Document 10 - p. 33, "Ad hoc conferences are treated as a set of two way calls, between the extensions or outside numbers and the conference bridge. If the recording rules dictate that such a call will be recorded, then that view of the conference will be recorded."</li> </ul>
using the conference controller, selectively entering the recording device to said conference call as an additional participant, wherein the	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 26 - p. 34 provides that "With all other modes, recorded call uses one more Port Network timeslot than it would use if it were not recorded. The recorder's IP phone makes an n-way call into an n+1 way conference. Total timeslot usage on each port network under maximum</li> </ul>

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<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
<p>recording device is distinct from the first and second communication devices yet receives as the additional participant at least the portion of the IP data session from each of the first and second participants; and</p>	<p>concurrent recording conditions must not exceed 484.”</p> <ul style="list-style-type: none"> <li>Document 14 - p. 26 explains that “[b]ecause this recording mode uses a conferencing feature, the recording port acts as an additional party on the call, which makes a two-way call into a three-way conference.”</li> <li>Document 14 - p. 33 provides that “[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules.”</li> </ul>
<p>recording at least the portion of the IP data session received as the additional participant of said conference call using said recording device.</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 26 - p. 34 provides that “[w]ith all other modes, recorded call uses one more Port Network timeslot than it would use if it were not recorded. The recorder's IP phone makes an n-way call into an n+1 way conference. Total timeslot usage on each port network under maximum concurrent recording conditions must not exceed 484.”</li> <li>Document 14 - p. 26 explains that “[b]ecause this recording mode uses a conferencing feature, the recording port acts as an additional party on the call, which makes a two-way call into a three-way conference.”</li> </ul>
<p>2. The method of claim 1, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: “[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself.”</li> </ul>
<p>3. The method of claim 1, including the additional step of permitting a user of at least one of the first and second communication devices to determine whether the session is to be recorded prior to entering the recording device</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including on demand recording.</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>Document 34 - p. 4 provides that “[o]utside of the formal call center, many traditional PABX users</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
as the additional participant.	have modest recording requirements, but can benefit from the ability to invoke recording on an ad-hoc or "on-demand" basis. For instance, the recording of "promises to pay" in a credit control department; the recording of switchboard calls for security threats; or recording of conference calls which other interested parties can subsequently access."
4. The method of claim 1, wherein the connection of the second communication device is established by the conference controller by:	<ul style="list-style-type: none"> <li>• Document 14 - p. 15 shows how "[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded."</li> <li>• Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
passing telephone numbers to a gatekeeper for performing IP address resolution, and	<ul style="list-style-type: none"> <li>• Document 14 - p. 15 shows how "[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded."</li> <li>• Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
using a resolved IP address of the second communication device for connecting the second communication device to the conference call.	<ul style="list-style-type: none"> <li>• Document 14 - p. 15 shows how "[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded."</li> <li>• Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
5. The method of claim 1, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>• Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."</li> </ul>
6. The method of claim 5, including the additional step of providing the command from a scheduler.	<ul style="list-style-type: none"> <li>• Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>• Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>• Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>• Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

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<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
7. The method of claim 6, including the additional step of locating the scheduler with the recording device.	<p>to be monitored during certain days or times.”</p> <ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
8. The method of claim 6, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
9. The method of claim 8, wherein the information includes the identity of at least one of the first and second communication devices.	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that “[f]or ‘Conferenced’ recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded.”</li> <li>Document 14 - p. 25 provides that “[t]he server observes login/logout activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> </ul>
10. The method of claim 1, wherein the IP data session is either an IP telephony session or an IP multimedia session.	<ul style="list-style-type: none"> <li>Document 14 - p. 14 provides that “Avaya’s Communication Manager API provides a pool of IP softphones which Witness ContactStore uses to participate in the calls that are to be recorded . . . The Avaya Communication Manager must be configured to support these softphones and must include sufficient IP media processing board (“MedPro”) or VoIP resources and the C-LAN capability to support them.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
11. The method of claim 1, wherein the step of initiating the data session is detected by a recording agent, and wherein said recording agent contacts the recording device.	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> </ul>
13. The method of claim 1, wherein the conference controller implements said conference call in response to a request to initiate the conference call.	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[r]ecording is performed by establishing a single-step conference between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores. The conference uses "listen only" single-step conference unless the Witness ContactStore must apply a beep-tone for which full-conference is required."</li> </ul>
14. The method of claim 13, wherein the request is from at least one of the recording device, the first communication device, the second communication device, and an other component on the network.	<ul style="list-style-type: none"> <li>Document 14 - p. 32 describes "Unify/Externally Controlled Conference Mode" stating that "[i]n this mode, the external controller is connected to a CTI feed that can establish single-step conferences between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores."</li> <li>Document 5 - p. 3-27 provides that "the Review Contact window is launched to let you specify on which telephone or workstation the audio and video (if applicable) will be played."</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "sends an HTTP request to the Contact Viewer search and retrieve Web service to retrieve the content."</li> </ul>
15. The method of claim 1, wherein said first communication device is a gateway for receiving communication through a PSTN.	<ul style="list-style-type: none"> <li>Document 43- p. 3 shows the Recording Topology of ContactStore where the PSTN is connected to a gateway.</li> <li>Document 44 - slides 8-10 shows how the PSTN is physically connected to the gateway.</li> </ul>
16. The method of claim 1, wherein the recording device joins the data session performed through a hunt group.	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>the pool answers and can be conferenced into the call to be recorded.”</p> <ul style="list-style-type: none"> <li>Document 4 - p. 4-9 provides that “[a]n Agent Group identifies a subset of extensions on a switch. “Agent Group” is a term specific to the Aspect switch. Other switch types use other terms, such as Pilot Number, Hunt Group, Skill Set, Queues, or Resource Group.”</li> <li>Document 4 - p. G-5 &amp; G-7 show that a “Hunt Group” is the same as a “Pilot Group.”</li> <li>Document 4 - p. G-7 provides that a pilot group is “A group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD.”</li> </ul>
<p>17. The method of claim 16, including the additional step of identifying the hunt group using a gatekeeper.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 78 provides that “[i]f you use On Demand Recording, Meeting Recording, or Live Monitor modes, you can group the ports dedicated to these modes into one or more hunt groups for each mode. Assigning the ports to hunt groups enables you to access the recording/monitoring functionality through the number of the hunt group rather through individual ports. The Communication Manager automatically selects an available port.”</li> <li>Document 14 - p. 27 provides that “[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded.”</li> <li>Document 4 - p. G-7 provides that a pilot group is “[a] group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD.”</li> </ul>
<p>18. The method of claim 1, wherein at least one of the first communication device and the second communication device is a non-IP telephony device.</p>	<ul style="list-style-type: none"> <li>Document 41 - p. 27-28, steps 19 and 20 shows how Witness Quality for Communication Manager allows the use of Avaya Definity (TDM).</li> <li>Document 9 - p. 1 provides that “[i]n addition to 100% recording and business-driven contact capture, ContactStore Plus offers the advantage of support for both TDM and IP environments.”</li> <li>Document 45 - slides 3 and 4 shows TDM (non-VoIP) recording through Eyretel’s MediaStore.</li> </ul>
<p>19. The method of claim 18, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: “[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as</li> </ul>

31381383\_V37

Page 7 of 33

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
participant when a data session has been initiated.	you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself.”
21. The method of claim 18, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that “[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules.”</li> </ul>
22. The method of claim 21, including the additional step of providing the command from a scheduler.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
23. The method of claim 22, including the additional step of locating the scheduler with the recording device.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
24. The method of claim 22, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler</li> </ul>

31381383\_V37

Page 8 of 33



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</p> <ul style="list-style-type: none"> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
<p>25. The method of claim 24, wherein the information includes the identity of at least one of the first and second communication devices.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that “For ‘Conferenced’ recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded.”</li> <li>Document 14 - p. 25 provides that “[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> </ul>
<p>26. The method of claim 18, wherein the step of initiating the data session is detected by a recording agent, and wherein said recording agent contacts the recording device.</p>	
<p>28. The method of claim 26, wherein the conference controller implements said conference call in response to a request to initiate the conference call.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that “[r]ecording is performed by establishing a single-step conference between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores. The conference uses “listen only” single-step conference unless the Witness ContactStore must apply a beep-tone for which full-conference is required.”</li> </ul>
<p>29. The method of claim 18, wherein the recording device joins the data session performed through a hunt group.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that “[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> <li>Document 14 - p. 27 provides that “[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded.”</li> <li>Document 4 - p. 4-9 provides that “[a]n Agent Group identifies a subset of extensions on a switch. “Agent Group” is a term specific to the Aspect switch. Other switch types use other terms, such as Pilot Number, Hunt Group, Skill Set, Queues, or Resource Group.”</li> <li>Document 4 - p. G-5, G-7 show that a “Hunt Group” is the same as a “Pilot Group.”</li> <li>Document 4 - p. G-7 provides that a pilot group is “A group of agents with a specific skill (for</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>example, Spanishspeaking). This group is identified by a number value on the phone switch or ACD.”</p>
<p>30. The method of claim 29, including the additional step of identifying the hunt group using a gatekeeper.</p>	<ul style="list-style-type: none"> <li>• Document 14 - p. 78 provides that “[i]f you use On Demand Recording, Meeting Recording, or Live Monitor modes, you can group the ports dedicated to these modes into one or more hunt groups for each mode. Assigning the ports to hunt groups enables you to access the recording/monitoring functionality through the number of the hunt group rather through individual ports. The Communication Manager automatically selects an available port.”</li> <li>• Document 14 - p. 27 provides that “[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded.”</li> <li>• Document 4 - p. G-7 provides that a pilot group is “A group of agents with a specific skill (for example, Spanishspeaking). This group is identified by a number value on the phone switch or ACD.”</li> </ul>
<p>31. The method of claim 1, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.</p>	<ul style="list-style-type: none"> <li>• Document 14 - p. 15 shows how “[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded.”</li> <li>• Document 14 - p. 15 shows the use of H.323 protocol.</li> <li>• Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>• Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>• Document 10 - p. 35 describes the rules for recording when someone joins a conference call: “[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself.”</li> </ul>
<p>32. The method of claim 31, wherein the recording device is directed to enter said conference call in response to a command that the data session is to be</p>	<ul style="list-style-type: none"> <li>• Document 14 - p. 33 provides that “[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules.”</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
recorded.	
33. The method of claim 32, including the additional steps of:  providing the command from a scheduler; and	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "You can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
34. The method of claim 33, wherein the information includes the identity of at least one of the first and second communication devices.	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "For 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "The server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> </ul>
35. The method of claim 1, wherein the step of selectively entering the	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> </ul>

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<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
<p>recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
<p>36. The method of claim 35, including the-additional steps of:</p> <p>providing the command from a scheduler; and</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
<p>analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
<p>37. The method of claim 36, wherein the information includes the identity of at least one of the first and second communication devices.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "[t]he server observes login/logoff activity on skill hunt groups</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."
38. The method of claim 1, including the additional steps of:	
detecting the step of initiating the data session using a recording agent,	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> </ul>
contacting the recording device using the recording agent, and	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> </ul>
receiving a request to initiate the conference call and performing the implementing step in response to the request,	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[r]ecording is performed by establishing a single-step conference between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores. The conference uses "listen only" single-step conference unless the Witness ContactStore must apply a beep-tone for which full-conference is required."</li> </ul>
wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
39. The method of claim 38, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call.	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how "[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded."</li> <li>Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
40. The method of claim 38, wherein	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
the recording device is directed to enter said conference call in response to a command that the data session is to be recorded.	ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."
41. The method of claim 38, including the additional steps of:  providing the command from a scheduler; and	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
42. The method of claim 41, wherein the information includes the identity of at least one of the first and second communication devices.	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>43. The method of claim 1, wherein the step of selectively entering the recording device to said conference call includes the steps of:</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 78 provides that "[i]f you use On Demand Recording, Meeting Recording, or Live Monitor modes, you can group the ports dedicated to these modes into one or more hunt groups for each mode. Assigning the ports to hunt groups enables you to access the recording/monitoring functionality through the number of the hunt group rather through individual ports. The Communication Manager automatically selects an available port."</li> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded."</li> <li>Document 4 - p. G-7 provides that a pilot group is "[a] group of agents with a specific skill (for example, Spanish speaking). This group is identified by a number value on the phone switch or ACD."</li> </ul>
<p>directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded; and</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
<p>joining the recording device to the data session through the hunt group.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded."</li> <li>Document 4 - p. 4-9 provides that "[a]n Agent Group identifies a subset of extensions on a switch."</li> </ul>

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Page 15 of 33

NICE v. Witness 42234-0006

US 7,010,109

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>“Agent Group” is a term specific to the Aspect switch. Other switch types use other terms, such as Pilot Number, Hunt Group, Skill Set, Queues, or Resource Group.”</p> <ul style="list-style-type: none"> <li>Document 4 - p. G-5, G-7 show that a “Hunt Group” is the same as a “Pilot Group.”</li> <li>Document 4 - p. G-7 provides that a pilot group is “[a] group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD.”</li> </ul>
<p>44. The method of claim 43, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how “[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded.”</li> <li>Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
<p>45. The method of claim 43, wherein the recording device is directed to enter said conference call in response to a command that the data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that “[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules.”</li> </ul>
<p>46. The method of claim 45, including the additional steps of:</p>	
<p>providing the command from a scheduler; and</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
<p>47. The method of claim 46, wherein the information includes the identity of at least one of the first and second communication devices.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> </ul>
<p>48. A method for recording at least a portion of an IP data session between at least a first communication device and a second communication device through a network by a recording device, comprising:</p>	
<p>initiating the data session by said first communication device with said second communication device;</p>	<ul style="list-style-type: none"> <li>Document 10 - p. 33, "Ad hoc conferences are treated as a set of two way calls, between the extensions or outside numbers and the conference bridge. If the recording rules dictate that such a call will be recorded, then that view of the conference will be recorded."</li> <li>Document 26 - p. 14 provides that "Witness ContactStore records telephone calls made on Avaya Communication Manager systems at release 2.0 and above—using analog, digital or IP-based stations. Recordings are made by connecting IP softphones running on an Avaya Communication Manager API platform into the calls via the Service Observe or conferencing features."</li> <li>Document 14 - p. 17 provides that "'Conferenced' recording, uses a pool of ports that are dynamically assigned to the calls that are to be recorded."</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>implementing the data session as a conference call through a conference controller such that said first and second communication devices are connected, respectively, as first and second participants;</p>	<ul style="list-style-type: none"> <li>Document 26 - p. 14 provides that "Witness ContactStore records telephone calls made on Avaya Communication Manager systems at release 2.0 and above—using analog, digital or IP-based stations. Recordings are made by connecting IP softphones running on an Avaya Communication Manager API platform into the calls via the Service Observe or conferencing features."</li> <li>Document 26 - p. 34 provides that "[w]ith all other modes, recorded call uses one more Port Network timeslot than it would use if it were not recorded. The recorder's IP phone makes an n-way call into an n+1 way conference. Total timeslot usage on each port network under maximum concurrent recording conditions must not exceed 484."</li> <li>Document 14 - p. 25 provides that "Witness ContactStore uses JTAPI, provided by Avaya CT Server or AE Services to observe and record using single-step conferencing."</li> <li>Document 10 - p. 33, "Ad hoc conferences are treated as a set of two way calls, between the extensions or outside numbers and the conference bridge. If the recording rules dictate that such a call will be recorded, then that view of the conference will be recorded."</li> </ul>
<p>using the conference controller, selectively entering the recording device to said conference call as an additional participant, wherein the recording device is distinct from the first and second communication devices yet receives as the additional participant at least the portion of the IP data session from each of the first and second participants; and</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 26 - p. 34 provides that "[w]ith all other modes, recorded call uses one more Port Network timeslot than it would use if it were not recorded. The recorder's IP phone makes an n-way call into an n+1 way conference. Total timeslot usage on each port network under maximum concurrent recording conditions must not exceed 484."</li> <li>Document 14 - p. 26 explains that "[b]ecause this recording mode uses a conferencing feature, the recording port acts as an additional party on the call, which makes a two-way call into a three-way conference."</li> <li>Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."</li> </ul>
<p>recording at least the portion of the IP data session received as the additional participant of said conference call using said recording device.</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 26 - p. 34 provides that "[w]ith all other modes, recorded call uses one more Port Network timeslot than it would use if it were not recorded. The recorder's IP phone makes an n-way call into an n+1 way conference. Total timeslot usage on each port network under maximum</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>concurrent recording conditions must not exceed 484.”</p> <ul style="list-style-type: none"> <li>Document 14 - p. 26 explains that “[b]ecause this recording mode uses a conferencing feature, the recording port acts as an additional party on the call, which makes a two-way call into a three-way conference.”</li> </ul>
<p>49. The method of claim 48, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: “[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself.”</li> </ul>
<p>50. The method of claim 48, including the additional step of permitting a user of at least one of the first and second communication devices to determine whether the session is to be recorded prior to entering the recording device as the additional participant.</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including on demand recording.</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>Document 34 - p. 4 provides that “[o]utside of the formal call center, many traditional PABX users have modest recording requirements, but can benefit from the ability to invoke recording on an ad-hoc or “on-demand” basis. For instance, the recording of “promises to pay” in a credit control department; the recording of switchboard calls for security threats; or recording of conference calls which other interested parties can subsequently access.”</li> </ul>
<p>51. The method of claim 48, wherein the connection of the second communication device is established by the conference controller by:</p>	
<p>passing telephone numbers to a gatekeeper for performing IP address resolution, and</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how “[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded.”</li> <li>Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
<p>using a resolved IP address of</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how “[u]nlike traditional compliance recorders that use passive taps on</li> </ul>



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<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
the second communication device for connecting the second communication device to the conference call.	<p>either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded.”</p> <ul style="list-style-type: none"> <li>• Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
52. The method of claim 48, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>• Document 14 - p. 33 provides that “[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules.”</li> </ul>
53. The method of claim 52, including the additional step of providing the command from a scheduler.	<ul style="list-style-type: none"> <li>• Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time; Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time; Recording starts and stops based on voice calls.”</li> <li>• Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>• Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “[t]he Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>• Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
54. The method of claim 53, including the additional step of locating the scheduler with the recording device.	<ul style="list-style-type: none"> <li>• Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time; Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time; Recording starts and stops based on voice calls.”</li> <li>• Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>• Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>• Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
55. The method of claim 53, including the additional step of analyzing information about the IP data session at	<ul style="list-style-type: none"> <li>• Document 40 - p. 22 shows the options to record based on a scheduler: “[1]Record entire block of scheduled time; Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time; Recording starts and stops based on voice calls.”</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
56. The method of claim 55, wherein the information includes the identity of at least one of the first and second communication devices.	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "[t]he server observes login/logout activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> </ul>
57. The method of claim 48, wherein the IP data session is either an IP telephony session or an IP multimedia session.	<ul style="list-style-type: none"> <li>Document 14 - p. 14 provides that "Avaya's Communication Manager API provides a pool of IP softphones which Witness ContactStore uses to participate in the calls that are to be recorded . . . The Avaya Communication Manager must be configured to support these softphones and must include sufficient IP media processing board ("MedPro") or VoIP resources and the C-LAN capability to support them."</li> </ul>
58. The method of claim 48, wherein the step of initiating the data session is detected by a recording agent, and wherein said recording agent contacts the recording device.	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> </ul>
60. The method of claim 48, wherein the conference controller implements said conference call in response to a request to initiate the conference call.	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[r]ecording is performed by establishing a single-step conference between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores. The conference uses "listen only" single-step conference unless the Witness ContactStore must apply a beep-tone for which full-conference is required."</li> </ul>
61. The method of claim 60, wherein the request is from at least one of the recording device, the first communication device, the second	<ul style="list-style-type: none"> <li>Document 14 - p. 32 describes "Unify/Externally Controlled Conference Mode" stating that "[i]n this mode, the external controller is connected to a CTI feed that can establish single-step conferences between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores."</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
communication device, and an other component on the network.	<ul style="list-style-type: none"> <li>Document 5 - p. 3-27 provides that "the Review Contact window is launched to let you specify on which telephone or workstation the audio and video (if applicable) will be played."</li> <li>Document 5 - p. 3-27, the paragraph on "Export Processing" describes how "[u]sing the Interactions client, a contact can be exported from eQuality Balance. When a contact is exported, an AVI file is created containing the contact audio data, video data, or both. The AVI file is on the Web Server in a dedicated Exports directory and can be accessed using common HTTP requests."</li> <li>Document 9 - p. 14 shows how when a user requests a playback from the Balance System, it "sends an HTTP request to the Contact Viewer search and retrieve Web service to retrieve the content."</li> </ul>
62. The method of claim 48, wherein said first communication device is a gateway for receiving communication through a PSTN.	<ul style="list-style-type: none"> <li>Document 43 - p. 3 shows the Recording Topology of ContactStore where the PSTN is connected to a gateway.</li> <li>Document 44 - slides 8-10 shows how the PSTN is physically connected to the gateway.</li> </ul>
63. The method of claim 48, wherein the recording device joins the data session performed through a hunt group.	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded."</li> <li>Document 4 - p. 4-9 provides that "[a]n Agent Group identifies a subset of extensions on a switch. "Agent Group" is a term specific to the Aspect switch. Other switch types use other terms, such as Pilot Number, Hunt Group, Skill Set, Queues, or Resource Group."</li> <li>Document 4 - p. G-5, G-7 show that a "Hunt Group" is the same as a "Pilot Group."</li> <li>Document 4 - p. G-7 provides that a pilot group is "[a] group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD."</li> </ul>
64. The method of claim 63, including the additional step of identifying the hunt group using a gatekeeper.	<ul style="list-style-type: none"> <li>Document 14 - p. 78 provides that "[i]f you use On Demand Recording, Meeting Recording, or Live Monitor modes, you can group the ports dedicated to these modes into one or more hunt groups for each mode. Assigning the ports to hunt groups enables you to access the recording/monitoring functionality through the number of the hunt group rather through individual ports. The Communication Manager automatically selects an available port."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded."</li> <li>Document 4 - p. G-7 provides that a pilot group is "A group of agents with a specific skill (for example, Spanishspeaking). This group is identified by a number value on the phone switch or ACD."</li> </ul>
65. The method of claim 48, wherein at least one of the first communication device and the second communication device is a non-IP telephony device.	<ul style="list-style-type: none"> <li>Document 40 - p. 27-28, steps 19 and 20 shows how Witness Quality for Communication Manager allows the use of Avaya Definity (TDM).</li> <li>Document 9 - p. 1 provides that "[i]n addition to 100% recording and business-driven contact capture, ContactStore Plus offers the advantage of support for both TDM and IP environments."</li> <li>Document 45 - slides 3 and 4 shows TDM (non-VoIP) recording through Eyretel's MediaStore.</li> </ul>
66. The method of claim 65, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
68. The method of claim 65, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."</li> </ul>
69. The method of claim 68, including the additional step of providing the command from a scheduler.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time; Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time; Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded."</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>You use the Scheduler utility to create, modify, or delete monitoring schedules.”</p> <ul style="list-style-type: none"> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
<p>70. The method of claim 69, including the additional step of locating the scheduler with the recording device.</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[l]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
<p>71. The method of claim 69, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[l]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
<p>72. The method of claim 71, wherein the information includes the identity of at least one of the first and second communication devices.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that “[f]or ‘Conferenced’ recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded.”</li> <li>Document 14 - p. 25 provides that “[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> </ul>
<p>73. The method of claim 65 wherein the step of initiating the data session is detected by a recording agent, and</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
wherein said recording agent contacts the recording device.	
75. The method of claim 73, wherein the conference controller implements said conference call in response to a request to initiate the conference call.	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[r]ecording is performed by establishing a single-step conference between the call to be recorded and an available port within this pool on one of the (potentially many) Witness ContactStores. The conference uses "listen only" single-step conference unless the Witness ContactStore must apply a beep-tone for which full-conference is required."</li> </ul>
76. The method of claim 65, wherein the recording device joins the data session performed through a hunt group.	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded."</li> <li>Document 4 - p. 4-9 provides that "[a]n Agent Group identifies a subset of extensions on a switch. "Agent Group" is a term specific to the Aspect switch. Other switch types use other terms, such as Pilot Number, Hunt Group, Skill Set, Queues, or Resource Group."</li> <li>Document 4 - p. G-5, G-7 show that a "Hunt Group" is the same as a "Pilot Group."</li> <li>Document 4 - p. G-7 provides that a pilot group is "A group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD."</li> </ul>
77. The method of claim 76, including the additional step of identifying the hunt group using a gatekeeper.	<ul style="list-style-type: none"> <li>Document 14 - p. 78 provides that "[i]f you use On Demand Recording, Meeting Recording, or Live Monitor modes, you can group the ports dedicated to these modes into one or more hunt groups for each mode. Assigning the ports to hunt groups enables you to access the recording/monitoring functionality through the number of the hunt group rather through individual ports. The Communication Manager automatically selects an available port."</li> <li>Document 14 - p. 27 provides that "[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded."</li> <li>Document 4 - p. G-7 provides that a pilot group is "[a] group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD."</li> </ul>

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>78. The method of claim 48, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how "[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded."</li> <li>Document 14 - p. 15 shows the use of H.323 protocol.</li> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
<p>79. The method of claim 78, wherein the recording device is directed to enter said conference call in response to a command that the data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."</li> </ul>
<p>80. The method of claim 79, including the additional steps of:</p>	
<p>providing the command from a scheduler; and</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
81. The method of claim 80, wherein the information includes the identity of at least one of the first and second communication devices.	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> </ul>
82. The method of claim 48, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
83. The method of claim 82, including the additional steps of:	
providing the command from a scheduler; and	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> </ul>

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<ul style="list-style-type: none"> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
84. The method of claim 83, wherein the information includes the identity of at least one of the first and second communication devices.	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded."</li> <li>Document 14 - p. 25 provides that "[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers."</li> </ul>
85. The method of claim 48, including the additional steps of:	
detecting the step of initiating the data session using a recording agent,	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> </ul>
contacting the recording device using the recording agent, and	<ul style="list-style-type: none"> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> </ul>
receiving a request to initiate the conference call and performing	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that "[r]ecording is performed by establishing a single-step conference between the call to be recorded and an available port within this pool on one of the</li> </ul>



NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

<b>CLAIMS</b>	<b>SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS</b>
the implementing step in response to the request,	(potentially many) Witness ContactStores. The conference uses "listen only" single-step conference unless the Witness ContactStore must apply a beep-tone for which full-conference is required."
wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that "in On Demand mode, recording starts at the point the user requests it, not from the start of the call."</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: "[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself."</li> </ul>
86. The method of claim 85, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call.	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how "[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded."</li> <li>Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>
87. The method of claim 85, wherein the recording device is directed to enter said conference call in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."</li> </ul>
88. The method of claim 85, including the additional steps of:	
providing the command from a scheduler; and	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler</li> </ul>

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Page 29 of 33



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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</p> <ul style="list-style-type: none"> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
<p>analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.</p>	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: “[1] Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call” and “[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls.”</li> <li>Document 32 - p. 38 explains how “table controls automatically scheduled recording of calls.”</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: “The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules.”</li> <li>Document 5 - p. G-9 provides that “[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times.”</li> </ul>
<p>89. The method of claim 88, wherein the information includes the identity of at least one of the first and second communication devices.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that “[f]or ‘Conferenced’ recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or VDNs) are to be recorded.”</li> <li>Document 14 - p. 25 provides that “[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> </ul>
<p>90. The method of claim 48, wherein the step of selectively entering the recording device to said conference call includes the steps of:</p>	
<p>Identifying a hunt group using a gatekeeper;</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 78 provides that “[i]f you use On Demand Recording, Meeting Recording, or Live Monitor modes, you can group the ports dedicated to these modes into one or more hunt groups for each mode. Assigning the ports to hunt groups enables you to access the recording/monitoring functionality through the number of the hunt group rather through individual ports. The Communication Manager automatically selects an available port.”</li> <li>Document 14 - p. 27 provides that “[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from</li> </ul>

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
	<p>the pool answers and can be conferenced into the call to be recorded.”</p> <ul style="list-style-type: none"> <li>Document 4 - p. G-7 provides that a pilot group is “[a] group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD.”</li> </ul>
<p>directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded; and</p>	<ul style="list-style-type: none"> <li>Document 26 - pp. 15-16, Table 1-1 shows all the Witness ContactStore recording options, including selective recording.</li> <li>Document 14 - p. 27 provides that “in On Demand mode, recording starts at the point the user requests it, not from the start of the call.”</li> <li>Document 10 - p. 35 describes the rules for recording when someone joins a conference call: “[i]f your extension is configured for recording of all calls, you will see a short call has been recorded as you interact with the conference server to establish your credentials and join the conference. This will be followed by the recording of your participation in the conference call itself.”</li> </ul>
<p>joining the recording device to the data session through the hunt group.</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that “[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> <li>Document 14 - p. 27 provides that “[t]ypically these ports are configured into one or more hunt groups on the switch. During a call, the user accesses a hunt group and the next available port from the pool answers and can be conferenced into the call to be recorded.”</li> <li>Document 4 - p. 4-9 provides that “[a]n Agent Group identifies a subset of extensions on a switch. “Agent Group” is a term specific to the Aspect switch. Other switch types use other terms, such as Pilot Number, Hunt Group, Skill Set, Queues, or Resource Group.”</li> <li>Document 4 - p. G-5, G-7 show that a “Hunt Group” is the same as a “Pilot Group.”</li> <li>Document 4 - p. G-7 provides that a pilot group is “[a] group of agents with a specific skill (for example, Spanish-speaking). This group is identified by a number value on the phone switch or ACD.”</li> </ul>
<p>91. The method of claim 90, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the</p>	<ul style="list-style-type: none"> <li>Document 14 - p. 15 shows how “[u]nlike traditional compliance recorders that use passive taps on either the trunks or extensions, the Witness ContactStore recorder uses the Service Observe and conference capability within the Avaya switch to establish a connection to the call being recorded.”</li> <li>Document 14 - p. 15 shows the use of H.323 protocol.</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

**CONFIDENTIAL -- COUNSEL EYES ONLY**

CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
second communication device in connecting the second communication device to the conference call.	
92. The method of claim 90, wherein the recording device is directed to enter said conference call in response to a command that the data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 14 - p. 33 provides that "[t]he ports act as Station Bulk Recording ports, but Witness ContactStore only records when the controller instructs it to. This instruction can be as simple as a one-off command to start recording or the controller can start and stop recording for each call or even within a call. The external controller can implement a variety of rules."</li> </ul>
93. The method of claim 92, including the additional steps of:  providing the command from a scheduler; and	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	<ul style="list-style-type: none"> <li>Document 40 - p. 22 shows the options to record based on a scheduler: "[1]Record entire block of scheduled time: Recording is based on a block of time, which may contain more than one call" and "[2] Record discrete calls during scheduled time: Recording starts and stops based on voice calls."</li> <li>Document 32 - p. 38 explains how "table controls automatically scheduled recording of calls."</li> <li>Document 41 - p. 8-7 to 8-9 describes the use of the eQuality Scheduler utility: "The Scheduler allows you to schedule a block of time for an agent to be automatically monitored and recorded. You use the Scheduler utility to create, modify, or delete monitoring schedules."</li> <li>Document 5 - p. G-9 provides that "[y]ou can create business rules to trigger a customer interaction to be monitored during certain days or times."</li> </ul>
94. The method of claim 93, wherein the information includes the identity of	<ul style="list-style-type: none"> <li>Document 14 - p. 17 provides that "[f]or 'Conferenced' recording mode, you specify the maximum number of concurrent recordings that are needed and which addresses (stations, agents and/or</li> </ul>

NICE v. Witness 42234-0006

US 7,010,109

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CLAIMS	SUPPORT FOR PRELIMINARY INFRINGEMENT CONTENTIONS
<p>at least one of the first and second communication devices.</p>	<p>VDNs) are to be recorded.”</p> <ul style="list-style-type: none"> <li>Document 14 - p. 25 provides that “[t]he server observes logon/logoff activity on skill hunt groups and observes call activity on specific addresses, which can be agent, skill hunt groups, station, or VDN numbers.”</li> </ul>

# **EXHIBIT B**



## FISH & RICHARDSON P.C.

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

1180 Peachtree Street  
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30309

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404 892-5005

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Daniel A. Kent  
404 724-2828

Email  
kent@fr.com

### VIA EMAIL

May 4, 2007

Joseph M. Drayton, Esq.  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022-3598



Re: *NICE Systems, Inc. & NICE Systems Ltd. v. Witness Systems, Inc.*  
U.S.D.C. (D. Del.) – Civil Action No. 1:06-CV-00311-JJF

ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Joe:

Further to our discussions yesterday and today, Witness Systems provides the following additional information concerning its prior response to Interrogatory 14: Witness Systems became aware of the '738, '005, '570, '345, '372 and '370 patents in or around October 2004, in the context of discussions concerning Witness Systems' possible acquisition of Dictaphone. Persons involved in such communications included John Bourne, Eric Williams, John Henits, Ed Racinsky, John Richter, Nick Setty, Joe Watson and Kevin Hegebarth.

We are checking with our client concerning any additional information we might be able to provide related to Interrogatories 16 and 20, and logger schematics. I will get back to you as soon as possible about that.

Attached are two lists we prepared to help us track Witness Systems products, versions and, to the extent available, release dates. As discussed, we are producing this information to you, despite its work product nature, as an agreed compromise concerning NICE's discovery requests, and based on your explicit agreement that our producing this information will *not* be construed as any sort of waiver of attorney client privilege or work product immunity. Our providing this information is also conditioned on your agreement that it will be treated as "Confidential – Counsel Only" under the Protective Order in this case. Your receipt and continued possession of these attachments constitute your agreement to these terms, as previously discussed.

Very truly yours,

Daniel A. Kent

# **EXHIBIT C**

## FISH & RICHARDSON P.C.

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

### VIA EMAIL

August 8, 2007

Joseph M. Drayton, Esq.  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022-3598

Re: *NICE Systems, Inc. & NICE Systems Ltd. v. Witness Systems, Inc.*  
U.S.D.C. (D. Del.) – Civil Action No. 1:06-CV-00311-JJF

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ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Joe:

This follows up on my letter to you dated May 4, 2007, concerning Witness Systems' response to NICE's Interrogatory No. 14. Based on additional documents<sup>1</sup> (attached) that came to our attention today, it appears Eyretel Plc became aware of the '371 and '005 Patents in or around April of 1999.

Please contact me should you have any questions regarding the foregoing.

Very truly yours,

Daniel A. Kent

Enclosures

<sup>1</sup> The attached documents bear control numbers WSNSDE061192-WSNSDE061286, and reflect communications between Eyretel and Dictaphone.

# **EXHIBIT D**

REDACTED



# **EXHIBIT E**

REDACTED

# **EXHIBIT F**

REDACTED

# **EXHIBIT G**



## Technology Advisory Council Meeting Minutes

Plaintiff's Exhibit

715

**Date:** July 21, 2005  
**Time:** 12:00 am – 4:00 pm  
**Location:** Witness Headquarters, Atlanta GA

BROWN & GALLO  
LLC**ATTENDEES:**

Tom Bishop, Nick Discombe, John Bourne, Ed Murray, Blair Hankins, Joe Watson, Illah Nourbakhsh (via conference line), Chris Blair, Kevin Hegebarth, Loren Wimpfheimer, Simon Shvarts, Nick McLean

**ACTION ITEMS**

Issue or Action Item	Owner	Notes
Distribute vision for Witness 8 product suite by next meeting	Nick M	
Produce a combined Vision and architecture approach for Wits 7.8	Nick M/Arch Council	
Propose a mechanism for review and feedback to Architecture Council productions	Simon / Arch Council	
Map the list from AC on functional focus areas to Centers of Excellence model	Blair H.	
Establish task force to focus on patent and competitive strategy against Nice.	Tom B/Nick D	
Organize an interim meeting of the TAC and other members of the organization to address the competitive and patent strategy against Nice. Key areas: <ul style="list-style-type: none"> <li>In-depth competitive analyze of Nice – where they're at, where they are going, how can we preempt them</li> <li>In-depth overview of current patent portfolio</li> <li>Produce patent and competitive strategy (defensive and offensive) to battle Nice</li> </ul>	Organize by: Tom B / Kevin H / Joe W	

**SUGGESTED AGENDA ITEMS FOR NEXT MEETING**

The following are agenda items suggested for next meeting. A more detailed agenda will be distributed prior to the next meeting.

1. Discussion of future capture engine techniques: inside/outside switch, alternative media, security, etc.

2. Discussion regarding IP Telephony. Where is IP Telephony going in the Call Center as well as other markets? How is Witness approaching IP Telephony? Can the Witness approach address beyond the Call Center?
3. Discussion of Speech Mining and Speech Analysis techniques. How are we leveraging this capability? How can we better leverage it for automated quality? Are there alternative uses or markets that can be addressed with this capability? Potentially, bring CallMiner to present and discuss their strategy.
4. What competitive innovations could sink the company?
5. Commoditization – how will the commoditization of recording affect us? Can we leverage it to our advantage?

### MEETING MINUTES

#### ➤ Sales Presentation of WFO/WFM (Chris Nelson)

- ❖ Chris Nelson, SE, provided the standard sales pitch for WFO and WFM.
- ❖ Suggested that key case studies and value proposition should be presented near the beginning of presentation.
- ❖ Suggested that best practice workflow and tighter integration should be emphasized as well as TCO and ROI.

#### ➤ Architecture Council Overview (Simon)

- ❖ Need to provide the business definition as to what we are trying to do with Wits 8. Nick M. owns the 'business' vision for Wits 8. Suggested that the vision for Wits 8 be circulated prior to next meeting and potentially present at next meeting.
- ❖ The architecture committee and the Wits 8 vision need to address the following additional items:
  - OEM Support
  - Multimedia capture, analysis and replay
  - Migration – strategy for migration of data and content from previous platforms. What platforms or scenarios can we leave behind?
  - Workflow
  - Globalization of calls – how to handle the representation, search, and display of calls that transition across time zones. For example, which time zone is used for display and search perspectives?
- ❖ Suggested that an AC sub team be created to address migration strategies

- Understand current landscape of deployment and how they can be migrated to the new solutions. Both data (contact info, agent db, etc) and content (audio, video storage).
- Are there environments that can be left behind (i.e.: balance solutions that only maintain 30 days worth of calls can be transitioned over to new solution during the 30 day period)?
- ❖ AC is focusing on a modular/compartmentalized approach with well defined interfaces to allow most flexibility in OEM (and other) situations where other systems may need to replace Witness functional components.
- ❖ Need to find a mechanism to actively review AC productions.
- ❖ Action: Nick M and AC are to product a combined Vision and architecture approach by end of September.

➤ **Patent Portfolio Overview (Kevin)**

- ❖ Current delays in the process producing larger number of patent applications waiting for grant is due to delays in PTO
- ❖ Kevin reported that from the 1<sup>st</sup> submission to the 1<sup>st</sup> office action could be up to 3 years. Answering some of the questions from last meeting as to why patents are taking so long.
- ❖ The Witness Patent process is leveraging an Invention Disclosure form that can help us to capture all information relating to the idea including origination dates and first disclosure, etc.
- ❖ DG addressed the group regarding Nice's aggressive strategy toward patents and its attacks on Witness. Task force should be produced to directly
  - Group to produce a patent strategy, defensive and offensive, with Nice as primary target
  - Need to perform in-depth competitive analysis and patent analysis of Nice.
  - Council to spend cycles on addressing tactics and produce patent strategy against Nice. TB, KH & JW to coordinate an interim TAC meeting to address our patent strategy against Nice.
- ❖ Discussed: A techniques for blocking a competitor's potential patent area (were we see not value in venturing) could be to discreetly publish a paper on the topic to preempt competitors patent application establish prior work of art.

➤ **Innovation Process (Joe)**

- ❖ It was suggested that as part of publicizing the Innovation program we should provide guidance for areas to focus on. For example, VoIP innovations, Speech Rec, etc.

❖ It was suggested that for incentives related to concepts being integrated into roadmap, the grant of incentive should be based on formal inclusion of the idea in a Vision document. In addition, the product board should weigh in on the decision to grant incentives based on integration into roadmap.

❖ Other suggestions for incentive program:

- Top 5 concepts would be presented at the company User Conference. Each author would be asked to present their idea at the conference.
- Offer temporary transition from current office to focus on implementing idea. For example, India or Vietnam team members could be brought over to ATL office (or other office) for x amount of time to help the ATG research and implement their idea.
- TB discussed an idea he had heard of before were the author of the leading idea each year is given the opportunity to direct the use of x dollars to a particular purpose within the company. E.g.: improvement to technology library, upgrade of equipment, etc.
- Reward leading idea with x amount of money and x amount of time to implement their idea.

➤ **Centers of Excellence (Blair)**

❖ Blair discussed plan to restructure engineering organization around centers of excellence.

❖ Centers need to address such areas as:

- OEM
- Database
- Innovations (Speech Rec/IVR)

# **EXHIBIT H**



Plaintiff's Exhibit

712

## Technology Advisor Council Charter

Effective May 2005

BROWN & GALLO  
LLC

### Purpose

The Technology Advisory Council (TAC) is intended to provide advice and direction with respect to the Company's product, innovation, patent, and technology strategy; in order to strengthen its differentiated value proposition and increase its competitive advantage.

The primary objectives of the council are:

- Provide advice and direction to the Company's Innovation and Patent initiatives that can help the Company gain and/or maintain a competitive advantage and market differentiation. In addition, the council is expected to be a strong contributor of innovative concepts that would help drive the Company's innovative position.
- Provide advice and direction to the Company's Product and Technology strategy and their ability to gain and/or maintain a competitive advantage and market differentiation
- Provide insight into alternative markets that may benefit from Witness technology as well as expand the Company's market presence.
- Drive the product vision beyond the current defined Product Roadmap to guarantee a continued forward thinking and progressive product direction.
- Provide Product & Technology assessment and recommendation as it pertains to the Company's M&A strategy.

### Responsibilities

The primary responsibilities of the council are:

- To perform periodic assessment and produce directive guidance to the Company regarding its product and innovation strategies. Assessing the strategy's effectiveness to provide the Company with a competitive advantage or market differentiation. This would include the review of current or potential innovative concepts and research efforts with the purpose of providing recommendations to those most capable to providing an effective differentiation.
- To perform periodic assessment and produce directive guidance to the Company regarding the effectiveness of its patent portfolio. In addition, the Council would review any potentially patentable concepts being managed by the PAC providing recommendations and advice to be considered in the patent prosecution process.
- Define and propagate the Company's Product Vision beyond that defined in the current Product Roadmap. The Council will be responsible for communicating the Vision to the organization as well as ensuring the future Product Roadmaps are in line with the defined Vision.

### Composition

The council will be comprised of the various industry leaders and key Witness personnel. Currently the representatives are:

- Tom Bishop, Witness Board of Directors
- Ed Murray, Witness Senior Vice President of Global Engineering
- John Bourne, Witness Senior Vice President of Product Management
- Loren Wimpfheimer, Witness Senior Vice President of Corporate Development
- Chris Blair, Director Software Hothouse

- Iliah Nourbakhsh, Witness Consulting Scientist
- Joe Watson, Witness Director Advanced Technology
- Kevin Hegebarth, Witness Director Strategic Planning (*representing patent initiatives*)

### **Supporting Groups**

The following section is intended to identify other groups within Witness that will be expected to work closely with the Council.

#### Patent Advisory Committee

The Patent Advisory Committee (PAC) is responsible for the oversight, guidance and management of all Company patent activities.

With regard to Company's patent activities, the following defines the responsibilities of the two groups:

- The PAC will assume the following responsibilities:
  - The PAC will be responsible for overseeing and managing all activities associated to the Company's pursuit and execution of patents
  - The PAC will be responsible for the evaluation and analysis of third-party patents and applications to understand how they impact Company products and initiatives
  - The PAC will be responsible for developing and running a process around stimulating patentable ideas and methods, evaluating submissions together with third party experts, processing patent applications, and enforcing issued patents.
  - The PAC will be responsible for evaluating potential inventions for patentability; potential competitive advantage and/or licensing opportunities; and alignment to overall corporate, product and marketing strategy. Select invention submissions would then be submitted to the Council for additional recommendations.
  - The PAC will be responsible for promoting a patent focus and education throughout the Company
  - The PAC will be responsible for the collecting and managing all concept disclosures generated throughout the Company
- The Council will assume the following responsibilities:
  - The Council will be responsible for reviewing the list of potential patent submissions collected by the PAC and offering feedback and recommendations as to the subsequent actions or refinement of the concepts
  - The Council will act as an incubator of patent and innovation concepts that will be submitted to the PAC for review, management and potential execution

#### Innovation Engineering (Advanced Technology Group)

The Advanced Technology Group (ATG), an arm of the Engineering organization and working in conjunction with Product Management, is responsible for providing guidance regarding innovation and technology strategy to Engineering, Product Management, and the Company as a whole; as well as managing the execution and adoption of innovative concepts.

In relation to the Technology Advisory Council, the ATG will take on the following responsibilities:

- The ATG will act as an incubator of patent and innovation concepts that will be submitted to the Council and PAC for review and recommendations
- The ATG will be responsible for managing the research and investigation of innovative concepts as well as their progression into the product roadmap.

- The ATG will be responsible for promoting an innovative mindset throughout the company through the coordination of both internal and external concept generation activities.
- Along with the PAC, the ATG will be responsible for the collecting and managing all concept disclosures (patentable or non-patentable) generated throughout the Company.

# **EXHIBIT I**

Plaintiff's Exhibit

713

BROWN & GALLO  
LLP

Technology Advisory Council

Minutes

June 6, 2005  
Emory Conference Center  
10:00 am – 4:00 pm

Attendees:

Joe Watson, Blair Hankins, John Bourne, Illah Nourbakhsh, Nick Discombe, Chris Blair,  
Tom Bishop

TAC to meet Quarterly: July 21, October 20 – on site at Witness

ACTION ITEMS

1. Value needs to be shown, and work collab to execute vision
2. Dedicate a budget for Patent
3. Allocate full time position for Patents Only  
Person would be an
  - ❖ Engineer or lawyer?
  - ❖ should investigate all prior applications done
  - ❖ Project Management piece needed
  - ❖ Patent agent to manage deadlines
4. Chris Blair – to investigate and let Joe and Ilah know what ETALK patent currently says
5. Before release of product have a patent review – 12 months, public disclosure
6. Pipeline review of where current patents are in the process
7. Investigate Patent Insurance? To avoid infringement
8. Kevin and Loren to do an analysis of tracking data and pursuing items for patentability or give to “full time person”
9. Loren to investigate if our applied applications have been disclosed
10. Evaluate history of company name changes Dictaphone, NICE
11. Announce Simon as Head of Architecture Council – include Richard Heap?
12. Need to have TAC TEAM sign off to Ensure Adoption of Architecture Council within products –
13. Provisional Patent needs to be applied for now\*\*\*\* if they are moving quick enough .....series of provisions patents inorder to avoid application ideas being stolen
14. Joe to present dashboard and Augment & incorp touch points into product roadmap
15. Advisor Scorecard

Where do we go?

- Show the value of WFM as part of the solution – leverage in sales force
- And sales force training – we have the data – just not the training
- Change lingo and rules how people thing about this?
- Sell to the right people
- Internal Witness to think about integrating quality and recording
- Challenge: apply in a business environment WFM



**TAC Charter (Tom)**

Review Witness Patent Portfolio

- ❖ In direction company wants to go
- ❖ Trends: pursuing patents portfolio – successful business models – generating revenue through patents & Licensing
- ❖ Joe, Kevin, Loren on Patent Advisory Committee
- ❖ Review what is being integrated over the next 10- 15 years and patent
- ❖ Need for proactive rather than reactive
- ❖ Keeping TAC group close to customers....in the loop (Quality recording)

Blair

Adjacent/Alternative markets – Nikco and Shinko

How will this fit into acquisition strategy?

Defense Recording, Financial Recording

Nick: interest in retail, etc apply tech in recording across all markets – not just call center

Chris: Witness Focusing on Call Center optimization

Australia using underground recording (for example – record conv with Train drivers)

Avaya, Cisco, Nortel – IP change

Goal: to deliver the “Core Infrastructure”

Customer mind share to move forward

**Mission....of TAC**

Tom

Key Objectives:

Proactive: vision

Creation of and Vision

Tom: Should TAC own “the Vision”

Nick – TAC should be the catalyst to show the company what is missing  
Value needs to be shown, and work collab to execute vision

Who to add? Invite to next meeting?

Product and Tech Strat: John Bourne should own – Product management

TAC will drive the vision –

John: What else can Witness do to grow out from call center?

- ❖ TAC will own the vision - agreed
- ❖ Board agreed long term vision – “workforce management”
- ❖ Strategic acquisition – needs value added

❖ 2 key points

Call Center

Customer Contact – Touch points

Show vision and (provide the solutions)

- ❖ Direction:
    - Driving innovation
    - WFM
    - Customer Contact Monitoring, Analytics
    - Proactive Customer Care Model
- 

Joe's presentation (subbing for Kevin)

❖ Patent Portfolio

- ❖ Kevin Higbarth owns Witness Patent Advisory Committee (Loren and Joe too)
- ❖ input for ideas - committee will meet to see which ones to pursue
- ❖ Currently in US- test driving 2 diff Patent Lawyers – Illah
- ❖ Should be a full time Patent person (lawyer or technical person)– more aggressive on patenting in Engineering
- ❖ Part of TAC Charter should cover CTO responsibilities
- ❖ Dictaphone – possible opportunity
- ❖ Bonus employees for patents issued – incentive for innovation ideas
- ❖ Executing a patent is cheap – application: \$10k

**Action item:** to dedicate a budget for Patent

Person would be an

1. engineer: to help spread around – pull synergy together
  1. Project Management piece needed
  2. Patent agent to manage deadlines

Put Process in place for Patent

Benefits: moral booster, \$2500 initial application for patent

Chris: Etalk Patent – owns Autonomy

**Action Item** for Chris – to investigate and let Joe and Ilah know what current patent says

**Patent Process**

Put in broad claims in the beginning

Argue with examiner

Design it to be rejected.....and examined

Construct patent to be widdilaable (widdle it down)

Person we hire - should investigate all prior applications done

If there is a Patent Infringe possibility - ?

Approach for a cross patent and give money and share

Consider Autonomy?

Need for US Sales and Marketing to feel comfortable to compete in Telecom

Speech Analytics Patent – foundation

❖ Multicontex Patent

Front/back office capability – one virtual process

Timberline – outsource call center

**Action Item** – before release of product have a patent review – 12 months, public disclosure

**Action Item** – pipeline review of where current patents are in the process

**Submitted applications:**

1. Screen Capture for agent training
2. Side Talk – 6 applications
3. Cataloging recording interactions
- 4.

**Action Item:** Kevin and Loren to do an analysis of tracking data and pursuing items for patentability or give to “full time person”

**Action Item:** Loren to investigate if our applied applications have been disclosed

**Action Item:** Evaluate history of company name changes  
Dictaphone, NICE,

#### TRICKS of the TRADE

1. Always apply patents to cover home base as well addition
2. Autonomy and ETALK and in Ahead of them – block (document to cover pipelines)
3. Can block through provisional
4. UK is free
5. Patent issues – International has its own
6. **Action Item:** Patent Insurance? To avoid infringement

-There is a need for Legal to write the claims and get engineers involved  
Witness Employees do not have enough experience

---

Blair

#### ARCHITECTURE COUNCIL:

Meets weekly

Rajan, Jeff Iannone, Shimone, Dan Spohrer, Simon Shvarts, Joe, Blair

Define who Chairman should be: Who is responsible for getting stuff done

**Action Item:** Richard Heap? Nick suggests should be Richard or Simon suggested by Tom

Ed to be accountable for ??? in lieu of CTO

Definitions/Evolution of Architecture committee – see Blairs presentation

Hourglass: Nick Gall – “Spanning layer”

example of container shipping

**is there a spanning layer ?**

R&D organization would be more fluid - how do you evolve with in the standardized architecture

Blu – Agent

Wit – Customer

What is the Core integration point with the 2?

TAC goal to balance the two

Integrating for example with 7.8 etc...with Avaya standards

- ❖ Ensure Adoption of Arch within products – need to have TAC TEAM sign off – no one ships product until all items on scoresheet are met on diff levels  
Where are the products on the Lifecycle?

**Action Item: add bullet:** Issues that Architect council finds delegate to TAC

Additional heads out in Santa Clara – QA

TAC tasks AC with specific Tech analysis

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John Bourne

### **R&D Investment Decisions**

- ❖ Closed Loop Business Solution
- ❖ Workforce Optimization Suite

#### **Operational Workforce Optimization**

1. Quality monitoring call center recording
  2. E Learning
  3. Performance Mgt
  4. Workforce Mgment
  5. **Advanced WFO**
- ❖ Product Integration Roadmap
    - Long term goal to build Wit 8
    - Quick Wins: Consolidated Agent Databases (who owns the Agents)
  - ❖ Quick wins – Business Application

**ACTION ITEM:** Provisional Patent needs to be applied for now\*\*\*\*

- ❖ Adherence screen WFM...

Agents – expand

- ❖ Integrated Survey Application – IVR based surveys & Web based surveys

**Action Item:** Agenda Item for next meeting - Surveys



❖ The Next Generation

Examples:

Salesforce.com – doubled its revenue, Mercury – Hosting software

Web logix

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John Bourne

Investment Opportunities

- ❖ Input from our Customers
- ❖ Platform compliance changes
- ❖ OEM partner requirements
- ❖ When no more above: we would Innovate
  - Which customers
  - How close to get out of engineering

Solution: aggressive to product lifecycle  
Charge more for maintenance

NICE stole from our ideas over the last 3 years

**Action Items:** if they are moving quick enough .....series of provisions patents--

❖ Whats outside the box

1. Back office branch office solutions
2. Delivering the Discover product
3. Capitalizing on the promise of IP telephony

John to send Joe details inorder to research Patent possibility

**Next meeting:**

**Agenda item IP telephony**

Tealeaf – sniffing solution

Discover product – ours – screen capture

Joe Watson

**Product and Technology innovation**

- ❖ Goals within Company
- ❖ How are we approaching innovation

KAZIM Group

*Next Mgt Agenda Item: how to measure return on Innovations*

Divide R&D into buckets

Customer Need analysis –  
Sales innovation – “bundling”

- ❖ Where do we stand today? Are we succeeding??
  - Getting cycles into roadmap
  - Innovation into engineering group

Create metrics to have visibility of efforts – measure success

**Next Meeting**

**Agenda Item: Measurement technique for measuring innovation**

**Patent & Innovation Process**

-Process for tracking, execution management  
-ATG & PAC owners of process  
Advanced Technology Research Group – 3 people

Key areas of research:

1. Content Mining & Analysis
2. Media Capture Improvements
3. Self service monitoring & Analytics
4. IVR Survey Solutions
5. Multi tenanted Recording Environments

Prioritize which ones are ?

Speech market – need something to integrate into our

WFM – Scheduling – Stress –

Desktop scheduling

3 models use speech

- ❖ Media Capture Efforts  
(see Joes' presentation)

IM interaction becoming more popular Touch point in Technology

Cost per touch point - \$9 per Transaction

❖ Additional Efforts

1. Speech Automated Call Center Monitoring & Anal
2. Muti- tenanted Environment

**ACTION ITEM:** Joe to present dashboard and Augment & incorp touch points into product roadmap

XNE

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**Housekeeping Items:**

July 21 – office next meeting location –

Where do we go?

- Show the value of WFM as part of the solution – leverage in sales force
- And sales force training – we have the data – just not the training
- Change lingo and rules how people thing about this?
- Sell to the right people
- Internal Witness to think about integrating quality and recording
- Challenge: apply in a business environment WFM

**Action Item: Advisor Scorecard**

Lock the customer's agenda

Marketing trick

**Next Meeting Agenda Item:** Sales person come in and demo the TAC group

# **EXHIBIT J**

# REDACTED



# **EXHIBIT K**

> Home > News & Events > Press Releases

## Press Releases

BUSINESS NEWS

### **NICE Completes Acquisition of Dictaphone's Communications Recording Systems Business**

**Ra'anana, Israel, June 01, 2005**, - NICE Systems (NASDAQ: NICE), the global provider of advanced solutions that enable organizations to extract insight from interactions today announced the completion of its acquisition of Dictaphone's Communications Recording Systems (CRS™) business, a leading provider of liability and quality management systems for first responders, critical facilities, contact centers and financial trading floors. The acquisition of the assets of Dictaphone's CRS business, originally announced on April 11, 2005, was an all-cash transaction for approximately \$38.5 million.

NICE expects that the transaction will consolidate the company's leadership position with the largest market share in contact centers, financial trading floors and with first responders and command and control centers. Furthermore, with Dictaphone CRS's intellectual property portfolio, the broadest in the industry, and CRS's reputation for quality, the acquisition is expected to accelerate incremental sales of NICE's Insight from Interactions solutions for the public and security and enterprise sectors.

Haim Shani, Chief Executive Officer of NICE commented, "The Dictaphone CRS acquisition significantly accelerates company growth and solidifies our competitive position in each of NICE's key sectors. It provides a very large base for opportunities to upsell our Insight from Interactions solutions, and brings tremendous value to the joint customer base with the largest support organization in the industry."

NICE reiterates previous guidance for 2005, where the acquisition of Dictaphone's CRS business is expected to add \$20 million to NICE's top-line and 10 cents to the bottom line, taking the company's revenues to \$295 - \$300 million. Pro forma EPS excluding the acquisition-related amortization is expected to be approximately \$1.50-1.60 per diluted share.

Given the early closing date versus expectations, revenue for the second quarter of 2005

is expected to be higher by \$ 1.5 -2 million; and as a result of earlier recognition of acquisition and integration related costs, a \$1.5 million cost is expected to affect the bottom line. Pro-forma guidance for the second quarter, which excludes the impact of Dictaphone, remains unchanged at revenues of \$67-70 million and EPS of \$0.32-\$0.36.

#### **About NICE**

NICE Systems (NASDAQ: NICE) is the leading provider of Insight from Interactions, based on advanced content analytics - of telephony, web, radio and video communications. NICE's solutions improve business and operational performance, as well as security. NICE has over 23,000 customers in 100 countries, including the world's top 10 banks and 65% of the Fortune 100. More information is available at [www.nice.com](http://www.nice.com).

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\*Only in Australia

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*This press release contains forward-looking statements as that term is defined in the Private Securities Litigation Reform Act of 1995. Such statements are based on the current expectations of the management of NICE Systems Ltd. (the Company) only, and are subject to a number of risk factors and uncertainties, including but not limited to changes in technology and market requirements, decline in demand for the Company's products, inability to timely develop and introduce new technologies, products and applications, difficulties or delays in absorbing and integrating acquired operations, products, technologies and personnel, loss of market share, pressure on pricing resulting from competition, and inability to maintain certain marketing and distribution arrangements, which could cause the actual results or performance of the Company to*

*differ materially from those described therein. We undertake no obligation to update these forward-looking statements. For a more detailed description of the risk factors and uncertainties affecting the company, refer to the Company's reports filed from time to time with the Securities and Exchange Commission.*

# **EXHIBIT L**





## **NICE Completes Acquisition of Dictaphone's Communications Recording Systems Business**

Posted Jun 1, 2005

RA'ANANA, Israel - NICE Systems completed the acquisition of Dictaphone's Communications Recording Systems (CRS™) business. The acquisition of the assets of Dictaphone's CRS business, originally announced on April 11, 2005, was an all-cash transaction for approximately \$38.5 million.

NICE reiterates previous guidance for 2005, where the acquisition of Dictaphone's CRS business is expected to add \$20 million to NICE's top-line and 10 cents to the bottom line, taking the company's revenues to \$295 - \$300 million. Pro-forma EPS excluding the acquisition-related amortization is expected to be approximately \$1.50-1.60 per diluted share.

Given the early closing date versus expectations, revenue for the second quarter of 2005 is expected to be higher by \$1.5-2 million; and as a result of earlier recognition of acquisition and integration related costs, a \$1.5 million cost is expected to affect the bottom line. Pro-forma guidance for the second quarter, which excludes the impact of Dictaphone, remains unchanged at revenues of \$67-70 million and EPS of \$0.32-\$0.36

# **EXHIBIT M**



## **NICE Completes Acquisition of Dictaphone's Communications Recording Systems Business**

*Wednesday, 01 June 2005*

NICE Systems, the global provider of advanced solutions that enable organizations to extract insight from interactions today announced the completion of its acquisition of Dictaphone's Communications Recording Systems (CRS™) business, a provider of liability and quality management systems for first responders, critical facilities, contact centers and financial trading floors. The acquisition of the assets of Dictaphone's CRS business, originally announced on April 11, 2005, was an all-cash transaction for approximately \$38.5 million.

NICE expects that the transaction will consolidate the company's leadership position with the largest market share in contact centers, financial trading floors and with first responders and command and control centers. Furthermore, with Dictaphone CRS's intellectual property portfolio, the broadest in the industry, and CRS's reputation for quality, the acquisition is expected to accelerate incremental sales of NICE's Insight from Interactions solutions for the public and security and enterprise sectors.

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